



# The Antiquary.



APRIL, 1885.

## Cannibalism and Sacrifice.

BY WILLIAM GEORGE BLACK, F.S.A. SCOT.

**T**HE word "cannibal," according to the dictionaries, is supposed to be a corruption of *Caribales*, a name given by Columbus to the Caribs, who ate human flesh. It is generally applied to all who partake of the bodies of fellow-men.

Cannibalism is generally regarded as an act of barbarism taking its rise—save in very exceptional cases—in an inordinate and unnatural appetite. But the researches made within recent years into man's history as recorded on the panels and plates of geology, or in the manners and customs of apparently uncivilized and even quasi-primitive peoples, have made us aware that we must not judge too hastily, or dispose too summarily of such problems as this when they present themselves for consideration.

The early European man was in all probability a cannibal. At St. Marc, near Aix, in Provence, calcined human bones—those bones, too, being only those of young people—have been found broken as though to allow an eater to draw out the marrow. There is no sign of St. Marc having been used as a place of burial. In Denmark, Italy, and Scotland, traces of cannibalism by prehistoric peoples have also been discovered.

But such feeding on human bodies may be, and, in fact, probably was, only occasional. The inhabitants of the Aix station belonged to the reindeer age, in the archæolithic period, and it is not wonderful if in that time the savage ancestor of the present race of man occasionally found himself short of the means of living, and had recourse to the destruction of the weaker and younger of his companions.

VOL. XI.

This feeling may fairly be paralleled with that of such shipwrecked sailors as in their great extremity slay an almost expiring comrade, and partake of his body. There is a need of food, and that need is met by taking the life of a fellow-creature. Technically such an act is murder; we add fresh horror to the charge when we call it cannibalism, but we diminish in our own minds the enormity of the offence by the extent of the excuse. It may be that the highest morality is sometimes not to live on, but to die. Yet in those terrible moments when death approaches slowly and surely, the morality of the study may sometimes yield to laws of survivance which create for themselves exceptional standards of right and of wrong.

But leaving the archæolithic age and coming to more modern times, we find, as we would expect to find, that as civilization increases—that is, as an assured supply of food to the race, if not always to the individual, is to be depended upon—cannibalism is seldom, if ever, found as a tribal feature, save as associated with a great and universal religious rite. That rite is sacrifice.

Sacrifice is an attempt by a worshipper to make out the existence of sympathy between his deity and himself. The worshipper offers to his god what to him is his best or his rarest possession, because to the worshipper himself, or his enemy, it would be the gift most welcome. Thus our northern forefathers offered horses,\* oxen, snow-white pigs, and other things of particular value or rarity to their gods. In savage countries palm-oil and fruits, meats and wine are poured forth, and in countries of more civilization lands and costly buildings are dedicated to the service of the Church. The secret of the offering is the belief in its acceptance.

But in this faith the northern tribes of Europe offered more than oxen and horses, for we find that human sacrifices were also common among such tribes. Tacitus gives ample evidence as to the Germans; Procopius as to the Scandinavians, and even the Franks, after they had crossed the Po; Sidonius Apollinaris as to the Saxons, and so on. The Sagas themselves bear wit-

\* Horses were commonly eaten in Europe before the introduction of Christianity. See Grimm, *Deutsche Mythologie*, vol. i. (Stallybrass), p. 47.

ness, as when we hear of King Oen the Old offering up his nine sons to Odin for his long life, and the Swedes in a season of great famine, when all other sacrifice failed, offering their own king!\* In the south of Europe we find human sacrifices occasional in Greece, but not common. In Rome they were not unusual, even in the days of Rome's greatest fame, although forbidden 95 B.C. In 46 B.C. Caesar sacrificed two soldiers on the altar in the Campus Martius; Augustus sacrificed a maiden named Gregoria, and Trajan, Calliope; and it is only when we remember the frightful scenes of the Treves colosseum that we do not altogether discredit the story that so late as the days of Constantine a gladiator was sacrificed to Jupiter Latialis.†

Among the Jews the story of Isaac suggests that the practice of human sacrifice was at least known among neighbouring tribes. The case of the daughter of Jephtha does not involve any conclusion as to human sacrifice as a recognized habit, because it belongs to a very different and distinct class of religious observances, a variant in the animal world of the custom of the offering of first-fruits of the vegetable world. Sir John Lubbock refers to the following verses of Leviticus (xxvii. 28-29) as appearing to indicate that "human sacrifices were at one time habitual among the Jews":—"Notwithstanding no devoted thing that a man shall devote unto the Lord of all that he hath, both of man and beast, and of the field of his possession, shall be sold or redeemed; every devoted thing is most holy unto the Lord. None devoted, which shall be devoted of men, shall be redeemed, but shall surely be put to death." But the passage is at the least obscure.

In all these countries cannibalism had long ceased. It was a barbarous and savage custom, only remembered perhaps in Greece

and Rome by a tale of Saturn, and a man in these cases was sacrificed simply because he was the most precious of all offerings. We must go back to more primitive nations to find an explanation of the rite, and, if anywhere, we shall find it in the customs of people who have practised cannibalism in historic times.

The fact that cannibalism existed, and indeed still exists, among peoples who have no excuse in need of sustenance for such a habit, is beyond question. All research goes to show that the custom was common among the tribes of North America, whom we call Indians. When Captain Wells, a man celebrated for his valour, was killed near Chicago in 1812, his body was divided into many parts and sent to all the allied tribes, that all might have an opportunity to get a taste of the courageous white man.\* The tribes of California and all the Algonkin tribes were cannibals, but they ate man with the same purpose; they aspired to absorb the virile qualities which lay in the murdered man, in the same way as they were strengthened by the flesh of bear, or deer, or other spoil of the chase. The heart was regarded as the centre of courage, and he who ate the victim's heart received the greater share of bravery, so among the Mohawks the chiefs ate the heart and head, but the common people only partook of the arms and trunk. In Nicaragua the priest received the heart, the king the feet and hands, and the captors took the thighs (Dorman, p. 50). It is probable that the nationality—above all the colour—of European victims added to the zeal with which such tribes ate their bodies. The Five nations are said at one time to have eaten a whole body of French soldiers; the Iroquois preyed on the bodies of those who fell in the war of 1756 between France and Britain, and Roubaud, describing a feast of the Ottawas, says:—

But, O Heavens! what a feast! The remains of the body of an Englishman were there, the skin stripped off, and more than one-half the flesh gone.†

\* For this and the illustrations from North American sources which follow I am indebted to Mr. Dorman's valuable book on *Primitive Superstitions* (Philadelphia, 1881).

† A moment after, I perceived these inhuman beings eat with famishing avidity of this human flesh. I

\* Grimm, *Deutsche Mythologie*, vol. i., pp. 35-37 (Stallybrass's translation, i., pp. 44-46). Grimm cites these and other authors at length. So far as his own examples go Grimm is right in saying, "Menschenopfer sind ihrem Wesen und Ursprung nach sühnend, ein grosses Unheil, ein schweres Verbrechen kann nur durch menschliches Blut beschworen und getilgt werden" (pp. 35-36); but he is clearly wrong as to the origin and practice of human sacrifice in general.

† Sir John Lubbock cites authorities for the instances of Roman sacrifices (*Origin of Civilization*, pp. 366-367).

In 1861, when the Maoris rose against the English, the hearts of the English soldiers slain in battle were torn out and devoured, the cannibals imagining that they would thereby inherit the courage of their enemies, whose superiority in every respect they fully recognised (M. Jouan, cited by Joly, *Man before Metals*, p. 346). The Brazilians are reported to have given as first food to a child, when weaning it from its mother's milk, the flesh of an enemy. The Australians, too, when they kill an infant are said to feed a child born before the victim upon its flesh, believing "that by its eating as much as possible of the roasted infant," the child would possess its strength, as well as that proper to itself (Spencer, p. 262). The Mexicans partook of human flesh as a religious ceremony. The Tapuyas ate their infant children, and when parents died they in turn were devoured by the children who survived; "they thought their spiritual substance became incorporated." The Xomanas and Passes burned the bones of their dead, and drank their ashes with a similar faith; so did also the ancient Peruvians, the Maypuris, and the Arawaks. Wallace, quoted by Mr. Spencer, says the Tariánas and Tucános drink the ashes of their relatives, and believe that thus the virtues of the deceased will be transmuted to the drinkers (Spencer, p. 262).

When we have assured ourselves that the eating of human flesh was believed to add strength and wisdom to the eater, we are prepared to apprehend how cannibalism became a sacrificial ceremony. Man is eaten, we have observed, as strong food is eaten, because of the virtue or strength supposed to be inherent in his body, and when man, in the exercise of a debasing religious instinct, sought to pacify or make friends with those mysterious deities who surrounded his life with so many seen and unseen dangers; who buffeted him in the tempest; who drowned him in the sea; who slew him in the forest in the guise of beasts, or struck him with sunstroke or by lightning flash, he gave what to him was most precious. He gave human lives to the deities who seemed to delight in

human lives, if so be the gift would save the giver from the terror which lay around him to his left hand and his right. He offered fruit and oil, and sometimes, in a sacrificial flame, all that was useful to him on earth, but the supreme gift was a human life. A chief who died was accompanied to his distant land by the wives and servants whose deaths followed his, and with a rude confusion of beliefs (savages have no Athanasius, and no creeds), his successor might, to save his own life, send substitutes, captives of war sometimes, but at other times victims of his own tribe (sometimes specially begotten and reared for the purpose) to the deities who ruled his fate.

Although the victim was offered with ceremony to a god, it did not, however, follow, that the worshippers did not eat the flesh. It was not long after sacrifices began that man discovered that his gifts of fruit or flowers or meat did not disappear. The theory was invented then that the gods took the spirit of the thing, and left the form. It became, of course, more or less consecrated, and to partake of it was to share to a certain extent in a sacred feast with the god. In Guatemala the priests alone ate the bodies of those sacrificed, for the meat was sacred (Dorman, p. 150). But ecclesiastical pretensions of this kind were not common. The Mayas ate the flesh of their sacrifices. In Guinea, "the idol hath only the blood, because they like the flesh very well themselves" (Bosman, cited by Lubbock, *Prim. Civil.*, p. 360); so, too, in Madagascar, the worshippers took the flesh, just as in Fiji, in the case of offerings of food, "native belief apportioned merely the soul thereof to the gods, who are described as being enormous eaters; the substance is consumed by the worshippers" (Sibree, *Madagascar and its People*, p. 389; Williams, *Fiji and the Fijians*, p. 389; Lubbock, *ibid.*, p. 361).

These ghastly facts are illustrated by the habits of the Vaudoux worshippers in Hayti. In that portion of San Domingo which is now completely under the rule of negroes, who are the descendants of slaves brought from the African coast by the Spanish and French settlers, human sacrifices still take place. These negroes worship the non-venomous serpent, and are divided into two

saw men taking up this detestable broth in large spoons, and apparently without being able to satisfy themselves with it (quoted by Dorman, *supra*, p. 147).

sects. The one offers the blood and flesh of white cocks, and spotless white goats. The other offers these, but in addition on great occasions sacrifices what is called "the goat without horns,"—a significant phrase which means a human victim. In 1869, a young French priest of Arcahay persuaded some of his parishioners to take him to a meeting in the forest of the Vaudoux worshippers. These meetings are held secretly in the dead of night, under the guidance of a priest and priestess, known as king and queen, master and mistress, papa and mamma. To disobey one of these Papaloi or Mamanloi is to disobey the serpent himself. The French priest's hands and face were blacked, and he was disguised as a peasant, and promised not to speak a word whatever might happen. He was taken to the gathering-place, where the serpent is kept in a box with open bars on the top of a kind of altar, beside which the Papaloi and Mamanloi stand. When the adoration ceremonies of the serpent are completed, each worshipper comes forward and implores the aid of the Vaudoux; the Papaloi receives the requests, however frightful; he takes the serpent-box from the altar and places it on the ground. The Mamanloi steps on it, and is inspired by the oracle to answer in convulsive agonies. The priest saw these usual ceremonies:—

The people came to ask that their wishes should be gratified, and the priestess stood on the box containing the serpent. At first she went into a violent paroxysm; then, in a sort of half-trance, she promised all that they could desire. A white cock and then a white goat were killed, and those present were marked with their blood. Presently an athletic young negro came, and knelt before the priestess, and said, "O maman, I have a favour to ask!" "What is it, my son?" "Give us, to complete the sacrifice, the goat without horns." She gave a sign of assent; the crowd in the shed separated, and there was a child sitting with its feet bound. In an instant a rope already passed through a block was tightened, the child's feet flew up towards the roof, and the priest approached it with a knife. The loud shriek given by the victim aroused the Frenchman to the truth of what was really going on. He shouted, "Oh, spare the child!" and would have darted forward, but he was seized by his friends around him, and literally carried from the spot. There was a short pursuit, but the priest got safely back to the town.

The police refused to accompany him to the place of sacrifice until the following morning, when they found the remains of the feast, and near the shed the boiled skull

of the child (Sir Spenser St. John, *Hayti, or the Black Republic*, pp. 193-4). The local authorities shipped off the French priest at once, under pretence that they could not answer for his safety. At this time General Solnavewas President of the Haytian republic. He had become a Vaudoux worshipper, had made presents to the priests and priestesses of the serpent, had bathed in goat's blood, and had even, it was asserted, consented to the sacrifice of the "goat without horns," that he might be anointed with its blood. In his reign, therefore, Vaudouxism was quite uninterfered with. About five years previously, in 1864, eight prisoners had been tried for Vaudoux practices, and found guilty and executed. There was no doubt that they had slain and eaten a young girl, the niece of two of the prisoners. Since the government of the then President (Geffrard) came to an end, the Vaudoux rites have been practised without much notice.

It can scarcely be said (Sir Spenser St. John ominously writes) that civilization is making progress; it is more probable that the authorities, absorbed in their petty intrigues to maintain power, did not care to inquire too closely into the disappearance of children. I believe that the latter is the true explanation, and that instead of there having been any amelioration, the subject is only ignored, as one likely to give trouble (*Ibid.*, p. 207).

Human sacrifices are offered to the serpent, and eaten by these Haytians at Easter, Christmas Eve, New Year's Eve, and specially on Twelfth Night (*Ibid.*, 198). The Vaudoux temples are in every district; they contain—so oddly are things mixed—pictures of the Virgin Mary and of saints (p. 195). Sometimes the worshippers sacrifice, in addition to the goat and cock, a lamb carefully washed, combed, and ornamented (p. 222). This is probably taken from the paschal lamb. The Roman Catholic is the "official" religion of Hayti, while there is no doubt that the Vaudoux feasts are eagerly attended, partly from deep negro superstition, and partly from pleasure in the unlimited licence and debauchery which follow each celebration. There is also no doubt that the sacrifice of human victims and the opportunity of eating human flesh are in the worshippers' opinion the most important facts in the observances of the Vaudoux rites.

From this stage we pass to one in



which the god does not receive a real substance for his consumption. In the progress of civilization cannibalism died out. Man ceased to prey on his fellow as a food, then ceased to devour him as a conquered enemy, whose spiritual virtues were absorbed by the eater of his flesh, at last ceased to offer him directly to the gods as the best and rarest of gifts.\* The Mexicans not only sacrificed yearly a beautiful youth, usually a war captive, in honour of Tezcatlipoca; they also at the annual feast of Quetzalcoatl offered an *image* of the god. This figure was made of meal and infant's blood; it was, in sacrificial fashion, killed by an arrow, and the king ate its heart, and the people whatever scraps of its body they could get. In modern India, where human sacrifices were offered in 1865-66, to avert the famine, figures made of flour paste or wax are now prepared in place of the forbidden human sacrifices, and the heads are cut off in honour of the gods whose mercy is sought (Lubbock, 366). But they continue, in some cases, to preserve a semblance of sacrifice by daubing the blood of even animal victims on the lips of idols. Perhaps, as Mr. Tylor suggests, red paint, so commonly used in savage rites, may be the modern representation of the old blood-shedding; at all events, blood-shedding is in some measure the cause of the extravagant use of red clothes and red paper among superstitious peoples.

It is right to observe, however, that cannibalism, purely for the sake of eating human flesh, is still practised without any sacrificial purpose. But we shall not go far wrong in saying that in almost all modern instances, this cannibalism is found among peoples who either practised the sacrificial rite at one time themselves, or have shared in the orgies of those who still do so, and have thus acquired

\* I am not certain whether or not the following falls under the present subject. Mrs. Bridges, describing the Lamasary at Hemyss, Thibet, says: "A little image made of dough, and coloured red, was placed on a triangle in the centre, representing an evil spirit, or rather the disembodied spirit of a wicked man; after much dancing round and round, and ringing of prayer-bells, and flourishing of sacred scarves, the 'Evil One' was exorcised, and his image cast out of the Lamasary gate, and the procession withdrew to come out again, representing various deities, or, as the Buddhists call them, 'incantations' and 'genii'" (*Travels round the World*, pp. 129-130).

a depraved taste for such food. Thus we saw above that the Maories, in 1861, ate the hearts of English soldiers, yet these Maories were Christians and Protestants, who were scandalized by the English attacking them when they were met for divine worship on the Sabbath day. With the opportunity the craving returned; the thin veneer of civilization was broken, and for the time the instincts of the savage reigned. Again, at Jacmel, in Hayti, an old woman when on her death-bed was much troubled, and, at last, bade her friends put aside her bed and dig underneath. They did so, and found numerous small skeletons which the old woman acknowledged were the remains of children she had eaten. She was a midwife. (St. John, p. 225.) During the rule of the Emperor Soulouque (1847-59), a man, riding with his wife in the plains, sought shelter for her in a cottage, while he went for help, as she was unwell. He was delayed in getting assistance, and when he returned, his wife was gone; the men and women of the cottage said she had become uneasy at his absence, and had followed him. The man went to the police station, and reported the matter; the house was searched, and the body of the woman, already dismembered and covered with salt, was found in a cask in an out-house.\* Such anecdotes, unfortunately, might be multiplied. But is cannibalism of this kind wonderful in a country where Vaudoux worship is winked at, connived at, even countenanced by the President of the State?

Mr. Spencer, deriving all worship of gods from a dread of dead men's spirits which were first feared, then worshipped, then treated as gods, says that for the immolation of human victims at funerals, there are two motives, one of them being the supply of food for the dead, and the other being the supply of attendants for service in the future life. I admit the second motive as beyond question. But the first motive can only be accepted subject to qualification.

Remembering how prevalent cannibalism is among primitive men, and remembering that a man's other self is supposed still to like the food he liked before death, we shall see that among cannibals the offering

\* The only punishment these assassins received was administered by the clubs of the police, when conducting them to prison (St. John, p. 224).

of human flesh to the dead as a propitiation is inevitable. Those ferocious anthropophagi, the Fijians, who have victims buried with them, and whose apotheosized chiefs join other gods to whom human flesh is still the most valued offering, show us the entire series of sequences—cannibalism during life, cannibal ghosts, cannibal deities, and human sacrifices made as religious rites. So, too, was it with the ancient Mexicans. The man-eating habits of their ruling race were accompanied by slayings of slaves, etc., at burials, as well as by slayings of prisoners before their gods; and though the immolations at graves were not, during their later times, avowedly food-offerings, yet we may suspect they were so in earlier times on seeing how literally a victim immolated to the god was made a food-offering, the heart being torn out, put into the mouth of the idol, and its lips anointed with the blood (*Principles of Sociology*, p. 287).

It is quite possible to believe that primitive men were cannibals, and that ancestor worship is common, without agreeing with Mr. Spencer, that from an implied association of the one and the other the rite of human sacrifice arose. I own that the "entire series of sequences" may be correct. But we are brought to the usual point of negation when we are asked to believe that all religion began in dream-fears of the dead. I see no reason to doubt that primitive man's first religious impressions were those communicated by the evidences of existences foreign to, or outside of, himself, and accepting this, I do not admit that human sacrifices began in an idea that the gods were dead men become spirits, but still cannibals; and I adhere to the view I have given above, that human sacrifices arose from a desire to present to the invisible terrors of the savage's life a gift, an offering, a propitiation of the highest value. That in so doing man fancied his god to be as he was—a cannibal—is not only not unlikely, but is very probable. It by no means, however, follows that Mr. Spencer is right. Sacrifice—even human sacrifice—may in many cases have been introduced where cannibalism had long been forgotten. Mr. Spencer's ghost theory is so comprehensive that wherever we find a god, however supreme his attributes and however pure the faith of his worshippers, being served with offerings he can say, "This is but a branch of the old worship by the primitive savage of his dead fellow-savage; both were savages and cannibals, and whatever your eucharistic ceremonies,

you are but repeating, with variations, the slaughter which preceded the cannibal's feast." Mr. Spencer's learning and industry have supplied him with volumes of facts with which to support his unstable fane, but if we may justifiably refuse to believe in the soundness of his foundations, we need not fear to dispute the logic with which he seeks to cement his facts. In a word, I do not admit that, primarily, sacrifice has necessarily anything to do with cannibalism, although human sacrifice, being an early religious rite, cannibalism may have been its frequent accompaniment, and in later generations even have been confused with it.

There must be many who feel that the study of primitive man is not delightful from an æsthetic point of view, and who would say with Emerson, that they are "glad he ate his fishes and snails and marrowbones out of our sight and hearing, and that his doleful experiences were got through so very long ago." But the lessons of man's early days on earth are among the most important which we can learn. Much more to the point than the regrets of Emerson that the aboriginal man is not an engaging figure is a sentence of Darwin, in his *Descent of Man*:—

The same high mental faculties (wrote Darwin) which first led man to believe in unseen spiritual agencies, then in fetishism, polytheism, and ultimately in monotheism, would infallibly lead him, as long as his reasoning powers remained poorly developed, to various strange superstitions and customs. Many of these are terrible to think of, such as the sacrifice of human beings to a blood-loving god, . . . yet it is well occasionally to reflect on these superstitions, for they show us what an infinite debt of gratitude we owe to the improvement of our reason, to science, and to an accumulated knowledge.



## The Affiliation of Mædieval Boroughs.

BY DR. CHARLES GROSS.



MODERN society is pre-eminently distinguished from that of the Middle Ages by a less intense and less pervasive spirit of association. The weakness of central authority, the imperfect administration of justice, rendered amalgamation of interests imperative. "Were

I alone, in no society, then woe me!" sings the Dutch poet of the fourteenth century.

"Mi es goet gheselschap bi,  
Waer ic allene, soo wee mi."

Men were more to each other, or less to each other, than they are to-day, according as they were constituent parts of the same or different fraternal aggregations. Nor were these aggregations confined to a given place or community. Members of various communities, the different communities themselves were associated. Social isolation in the Middle Ages, when it does appear, is often more apparent than real. The knight in his solitary castle was but one of a larger fraternity. The mendicant monk in his lonely pilgrimages greeted many a brother monk. The towns isolated from the rest of the world by lofty walls, and almost impassable roads, were united by a tie closer and more organic than any that binds together such communities in our age of rapid transit and great commercial activity. This peculiar affiliation of mediæval towns, as it existed on the Continent, has been incidentally dwelt upon by various writers, but the English phase of it has never yet been elucidated.

When the ancient mark became surcharged with inhabitants, the newly-married sons, bidding farewell to the old home, went forth into the forest, and, appropriating a portion of the virgin soil strewn in profusion about them, reared for themselves new habitations. Even in recent times, Russian peasants have resorted to a very similar expedient.\* In both cases the new village maintained a close connection with the older community, adopting its institutions, appealing to it for counsel and support. The affiliation of English boroughs in the thirteenth and fourteenth centuries was much the same, but with this important difference,—the mother town was generally one by adoption, and not by birth. When a prosperous village, or a newly-founded town, wished to secure the franchises of a free borough, or when a borough sought an extension of its liberties, it was natural for them to look for a model among their more privileged and flourishing neighbours. The innate tendency of the

human mind to turn to account the experiences of others would have been a sufficient motive for such action, but the need of a reliable precedent of this kind was especially felt in an age when even the magistrates of most towns were unskilled in law, and when king and baron were ever ready to nullify chartered rights, the one by a quibbling *quo warranto*, the other by evasions and encroachments. Among the boroughs that could be thus chosen as models, there was great diversity of custom and law; for as yet there were very few acts of parliament applicable to all boroughs, and no English municipal *corpus juris*, like the Scotch *leges burgorum*.

The townsmen having selected an exemplar offered a fine to their lord in return for its privileges (*consuetudines, leges, libertates*). Thus Gloucester gives the king two hundred marks, that it may have the liberties of Winchester (1 John); Derby offers sixty marks\* for a charter like that of Nottingham (6 John). If the petitioners found a favourable hearing, they generally received a charter with some such clause as the following:—*sciatis nos concessisse . . . burgensibus nostris de Derby omnes illas liberas consuetudines quas burgenses nostri de Nottingham habent*, etc. (6 John, *Rot. Chartarum*, 138.) In this particular case the *consuetudines*, or at least the more important ones, are specified, but they are frequently omitted. Sometimes they are enumerated without any intimation that they are those of another town. For example, the charter of 1 John, for which the burgesses of Gloucester paid the fine referred to above, is in great part an exact transcript of the charter of Richard I. to Winchester, though it does not mention this city.† Thus the phenomenon of affiliation will often explain the remarkable resemblance existing between charters of different

\* *Rotuli de Oblatis* (Rolls Series), 17, 223. For other examples see *ib.*, 99, 111; and Madox, *Exchequer*, 273. John Gray, Bishop of Norwich, made the selection for his town of Lynn:—"Quia Dominus Rex vobis per cartam suam concessit ut eligeremus Burgum in Anglia quemcumque vellemus ut eisdem Libertates quas Burgus ille habet, haberet etiam villa nostra de Lenn' et nos elegimus Oxenefordiam." Mackerell, *Kings Lynn* (London, 1738), p. 248.

† *Rot. Chartarum*, p. 56; Stubbs, *Select Charters*, 265.

\* *System of Land Tenures* (Cobden Club), 355; W. Cunningham, *English Commerce*, 52.





BOROUGH.	MOTHER-TOWN.	DATE.	AUTHORITY.
Dungarvon . .	Bristol . . . . .	17 John	Rot. Chart., 211.
Dunstable . .	London . . . . .	Henry I. (?)	Dunno's Originals, Pt. V., p. 6-8.
Durham . . .	Newcastle-upon-Tyne	Henry II.	Hutchinson, Durham, II., 2.
Ellesmere . .	Bristol . . . . .	Henry II.	Owen and Blakeway, Shrewsbury, I., 89.
Exeter . . .	London . . . . .	Henry II.	Oliver, Exeter, 279; Liber Custum., 667.
Folkestone . .	Dover . . . . .	Stephen	Boys, Sandwich, 816.
Francheville .	{ Wilton, Alresford, } Farnham, Taunton }	13 Edw. I.	Petyt MSS., I., 223; Mun. Corp. Com., '35, p. 793.
Galway . . .	Drogheda . . . . .	19 Rich. II.	Munic. Corp. Com., '35-36, p. 317.
Gateshead . .	Newcastle-upon-Tyne	Henry II.	Boldon Buke (Surt. Soc.), App. XL.
Gloucester . .	London, * Winchester	5 Rich. I.	Madox, Firma Burgi, 134; Plac. quo War., 241.
Grimsby . . .	Northampton . . .	2 John	Rot. Chart., 91.
Harlech . . .	* Hereford . . . . .	13 Edw. I.	Record of Caern., 193.
Hartlepool . .	Newcastle-upon-Tyne	2 John	Rot. Chart., 86.
Haverfordwest	{ Hereford . . . . .	—	Duncumb, Co. of Hereford, I., 337.
Hedon . . .	Cardigan . . . . .	1290	Merewether and Stephens, 568.
Helleston . .	York, Lincoln . . .	2 John	Rot. Chart., 81; Petyt MSS., I., 336.
Ilchester . .	Launceston . . . .	2 John	Rot. Chart., 93.
Kells . . . .	Winchester . . . .	5 John	Rot. Chart., 130.
Kilkenny . .	Bristol . . . . .	Rich. I.	Munic. Corp. Com. '35-36, 181.
Lampador . .	* Gloucester . . . .	7 Rich. II.	Plac. quo War., 817.
Lancaster . .	Montgomery . . . .	6 Edw. I.	Harland, Mamec., 195-6; Plac. quo War., 384.
Leeds . . . .	{ Bristol . . . . .	1188	Rot. Chart., 26.
Lichfield . .	London . . . . .	1199	Whitaker, Loidis, 7.
Limerick . .	Northampton . . .	1 John	Placit. Abbreviatio, 102.
Lincoln . . .	Pontefract . . . . .	9 John	Mun. Corp. Com. '35-36, p. 344.
Liskeard . .	* Bristol . . . . .	Henry III.	Foedera (London, 1816, etc.), I., 52.
Llanfyllin . .	Dublin . . . . .	1199	Allen, Liskeard, 537.
Llantrissaint	London . . . . .	1194	Powys Club, Collections, III., 92.
Lostwithiel .	Launceston, Helleston	24 Henry III.	Archæol. Journal, XXIX, 351.
Ludlow . . .	Hereford . . . . .	Henry VI.	Brady Treatise (London, 1704), 45.
Lydd . . . .	Cardiff . . . . .	20 Edw. III.	Petyt MSS., II., 181.
Lyme Regis .	* Truro . . . . .	Henry III.	Munic. Corp. Com. '35, p. 1013.
Lynn . . . .	* Bristol . . . . .	Henry IV.	Hutchins, Dorset (2nd ed.), I., 396.
Marlborough .	Hastings . . . . .	Henry III.	Rot. Chart., 138.
Melcombe Regis	Melcombe Regis, London	12 Edw. I.	Rot. Chart., 135.
Montgomery .	Oxford . . . . .	6 John	Hutchins, Dorset (2nd ed.), II., 87.
Neath . . . .	{ Winchester, Boston, } * Oxford . . . . . }	6 John	Eyton, Shropshire, XI., 134.
Nether-Weare .	London . . . . .	8 Edw. I.	Francis, Neath Charters.
Neven . . . .	Hereford . . . . .	11 Henry III.	Petyt MSS., II., 241-42.
Newborough .	Cardiff . . . . .	33 Edw. III.	Munic. Corp. Com. '38, p. 99.
Newcastle-upon-	Hereford, Bristol	7 Edw. [I.]	Record of Caern., 178.
Tyne . . . .	Newborough . . . .	Edw. III.	
Newton (Dorset)	Rhuddlan . . . . .	Edw. I.	
Northampton .	Winchester . . . .	17 John	Rot. Chart., 219.
Norwich . . .	London . . . . .	14 Edw. I.	Petyt MSS., I., 225.
Oswestry . .	London . . . . .	1 Rich. I.	Hartshorne, Northampton, 21; Rot. Chart., 45.
Oxford . . .	London . . . . .	Henry I.	Thompson, Munic. Hist., 114; Foedera, I., 63.
Petersfield . .	Shrewsbury . . . .	Rich. I.	Eyton, Shropsh., X., 324; Madox, Firma B., 250.
Plymouth . .	London . . . . .	Henry II.	Stubbs, Select Charters, 167.
Plympton . .	Winchester . . . .	1103	Merewether and Stephens, 308.
Pontefract . .	* Oxford . . . . .	1683	Jewitt, Plymouth, 249.
Poole . . . .	Exeter . . . . .	26 Henry III.	Brady, Treatise, 46; Cotton, Plympton, 4.
Portsmouth .	{ Grimsby . . . . .	5 Rich. I.	Boothroyd, Pontefract, App. I.
Preston . . .	Stamford . . . . .	2 Rich. III.	Rep. MS. Com. '81, p. 271.
Rhuddlan . .	Southampton . . .	1568	Merewether and Stephens, 1239.
Romney . . .	Winchester, Oxford .	2 John	Rot. Chart., 77.
Ruthin . . .	Newcastle-under-Lyme	Henry II.	Dobson and Harland, Preston Guild, 7.
Ruyton . . .	Hereford, Bristol . .	Wm. I.	Domesday, I., 269; Record of Caernarvon, 179.
Salisbury . .	Hastings . . . . .	7 John	Rot. Chart., 154.
	Hereford . . . . .	—	Duncumb, Co. of Hereford, I., 318.
	Bristol . . . . .	Edw. [III.]	Munic. Corp. Com. '35, p. 2858.
	Winchester . . . .	1 John	Rot. Chart., 54; Antiquitates Sarisb., 78.

\* "De Cartis Concessis Civitatibus et Burgis," 2 Volumes, *Petyt MSS.*, No. 536, Vols. 13 and 14, Inner Temple Library.

BOROUGH.	MOTHER-TOWN.	DATE.	AUTHORITY.
Scarborough .	York . . . . .	Henry II.	Hinderwell, Scarb., 156; Rot. Chart., 40.
Shrewsbury .	Bristol . . . . .	6 John	Rot. Chart., 142.
Sodbury . .	Bristol . . . . .	Henry II.	Atkyns, Gloucestersh., 347.
Southampton .	Winchester	40 Henry III.	Davies, Southampton, 153.
Stockton . .	Newcastle-upon-Tyne	17 Edw. III.	Hutchinson, Durham, III., 127.
Stratford . .	* Bristol . . . . .	Rich. I.	Dugdale, Warwick, 680.
Swords . . .	Dublin . . . . .	1196	Munic. Corp. Com. '35-36, p. 259.
Taunton . . .	London, Winchester	Stephen	Addit. MS. (Brit. Mus.) 29, 436, p. 17.
Trim . . . .	Bristol . . . . .	Rich. I.	Munic. Corp. Com. '35-36, p. 265.
Wallingford .	Winchester . . . .	Henry II.	Foedera, I., 471.
Waterford . .	* Bristol . . . . .	7 John	Munic. Corp. Com. '35-36, p. 579-80.
Wearmouth .	{ Newcastle-upon-Tyne	Henry II.	Boldon Buke, App. XLI.; Surtees, Durham, I., 297.
Westchep . .	{ * Westminster . . .	31 Henry III.	Fordyce, Durham, II., 397.
Weymouth . .	Pontefract . . . .	1255-58	Yorksh. Top. & Arch. Journal, I., 170.
Whitby . . .	Southampton, Portsmouth	1252	Rep. MS. Com. '76, p. 575.
Wilton . . .	Ripon, Beverley . .	1351	Whitby Cartularium (Surtees Soc.), II., 427-28.
Woodstock . .	* London, Winchester	Henry I.	Archæol. Assoc. Journal, XVII., 311; Rot. Chart., 125.
Yarmouth . .	Windsor . . . . .	31 Henry VI.	Marshall, Woodstock, 129.
	Oxford . . . . .	9 John	Rot. Chart., 175.

Re-arranging this table, we may see at a glance which were the favourite parent boroughs.

LONDON.	Barnstaple	BRISTOL.	Burford	IRELAND.
	Bedford		Chester	
	Bristol		Cork	
	Canterbury		{ Athboy	
	Chester } Clithero		{ Drogheda } Galway	
	Dunstable		Dublin { Dundalk	
	Exeter } Plympton		{ Limerick	
	Gloucester } Kilkenny		{ Swords	
	Lancaster		Dungarvon	
	Lincoln } Coventry		Ellesmere	
	Lyme Regis		Hereford	
	Melcombe Regis } Lyme Regis		Kells	
	Newton		Lancaster	
	Northampton { Grimsby { Pontefract { Leeds		Lichfield	
WINCHESTER.	Norwich		Ludlow	
	Oxford		Nether-Weare	
	Taunton		Ruyton	
	Wilton } Francheville		Shrewsbury { Oswestry	
	Andover		{ Ruyton	
	Bath		Sodbury	
	Gloucester		Stratford	
	Ilchester		Trim	
	Marlborough } Devizes		Waterford	
	Newcastle-upon-Tyne			
	Petersfield		Beaumaris	WALES.
	Portsmouth } Weymouth	HEREFORD.	Brecknock	
	Salisbury		Burford	
	Southampton { Poole		Cardiff { Llantrissaint	
	Taunton } Weymouth		{ Neath	
	Wallingford		Carmarthen } Cardigan	
	Wilton		Carnarvon } Bala	
			Conway } Caerwys	
			Criccieth	
			Crukyn	
			Denbigh	
			Harlech	
			Haverfordwest	
			Llanfyllin	
			Montgomery } Lampador	
			Nether-Weare	
			Rhuddlan { Caergwile	
			{ Caerwys	
			Newborough { Cardigan	
			{ Neven	
			Ruthin	

\* "De Cartis Concessis Civitatibus et Burgis," 2 Volumes, *Petyt MSS.*, No. 536, Vols. 13 and 14, Inner Temple Library.

OXFORD.	Bedford	SCOTLAND.
	Burford	
	Lynn	
	Marlborough	
	Plymouth	
	Portsmouth	
NEWCASTLE.	Yarmouth	
	Alnwick	SCOTLAND.
	Carlisle	
	Durham	
	Gateshead	
	Hartlepool	
YORK.	Stockton	
	Wearmouth	
	Appleby	SCOTLAND.
	Beverley	
YORK.	Hedon	
	Scarborough	

Thus England may be divided into regions, each having a sort of municipal centre, from which law and liberty radiated in all directions,—a division that constitutes the basis for a far more natural and organic classification of mediæval boroughs than any now in vogue. We must not, however, picture to ourselves a monotonous uniformity in the towns of a given region. They did not merge their identity into that of the parent community. The framework of their constitution, and especially criteria in legal procedure, were borrowed from the latter; but local peculiarities, certain immemorial usages, or later accretions on the mother stock, gave to each borough an individuality of its own.

Burghal affiliation was evidently known to the Anglo-Saxons, for in *Domesday* we find certain towns taking others as a precedent. Rhuddlan had received the laws and customs of Hereford and Bristol.\* Exeter gelded when London, York, and Winchester gelded. Totnes, Lidford, and Barnstaple regulated their military service according to the custom of Exeter.† It is indeed possible, that affiliation was an inheritance from the ancient mark system.

(To be continued.)

\* "Ipsis burgensibus annuerunt leges et consuetudines quæ sunt in Hereford et in breuill, scilicet," etc. *Domesday*, i., 269.

† *Domesday*, i., 100. Totnes gelded only when Exeter gelded. *Domesday* i., 108b.

## Rebellions in English History:

JACK CADE, A.D. 1450.



ALTHOUGH perhaps equally well known, the rebellion of Jack Cade has nothing of the historical value which we have seen is attached to that of Wat Tyler. One important fact shows the difference between the two events. The popular knowledge of the incidents of Jack Cade's rebellion is chiefly to be attributed to the enormous influence of Shakespeare's picture of the rebel leader and the events attending his actions; for, unlike the rebellion of Tyler, there are no chap-books or other forms of popular literature which we can call to our aid as evidence. There is perhaps no occasion to dwell upon this feature of the Jack Cade rebellion, significant as all will recognise it to be; chroniclers and historians give us the dry facts from their political aspect, and they cannot infuse a life into these facts which they do not possess of themselves. There being no popular literature attached to the rebellion of Jack Cade, we might expect to find that the nature and object of the rebellion were not of a character which would aid the production of such a literature.

And this is really what history bears out. John Cade was no doubt an adventurer formed in the school which originated with those disastrous wars with France under Henry V. Kentish born as he is claimed to be, and with all probability, he had served in the army both in France and under the Duke of York in Ireland. He had some military ability and a popular presence. Hall the chronicler says of him that he was a "young man of a goodly stature and pregnant wit." The nation was smarting under the losses of all their conquests in France except Calais, and the ablest man in England, Richard Duke of York, was excluded from the councils of the Crown in favour of others, who, with or without reason, were looked upon as the cause of the national loss and disgrace. The Duke had nearer claims to the crown than ever Henry VI. himself, and Henry VI. was disgracing the greatness of the victor of Agincourt and the conqueror of France. Men's minds were turned towards the Duke. They openly spoke of his claims,



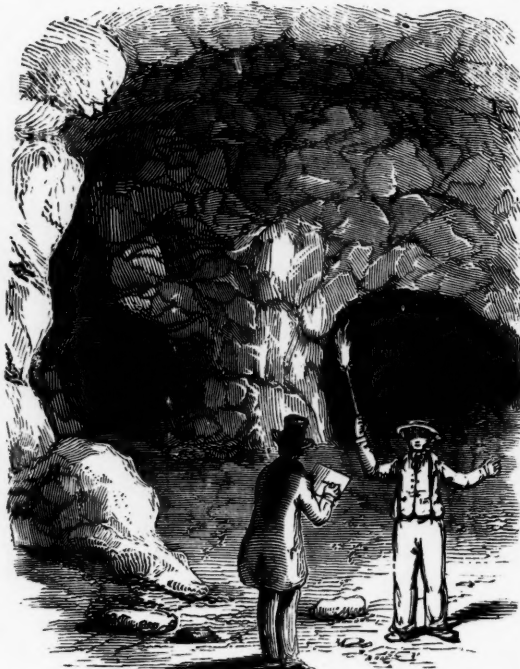
at least to the position of trusted councillor. And when Jack Cade unfurled the standard of rebellion in Kent, he took upon himself the name of Mortimer, and claimed to be cousin to the Duke. Was this move the instigation of York, or was it the clever unscrupulous action of the adventurer? There is no direct or tangible evidence whereby these questions can be properly answered; but conjecture points strongly to the conclusion that the Duke of York and his party had a hand in the rising.\*

In the first place it is now satisfactorily proved that the machinery which was put into force to gather an army for Cade, or Mortimer as he was called, was the governmental machinery. Men were called from their homes and their ploughs, not by the spontaneous anger caused by injury done to one of their order, or by the smart of unbearable personal wrongs which could no longer be borne in liberty-loving and free Kent, but they were called by the muster rolls of the county. It was not, says Mr. Durrant

Cooper,† a disorganized mob or chance gathering. In several hundreds the constables duly, and as if legally, summoned the men, and many parishes, particularly Marden, Penshurst, Hawkhurst, Northfleet, Boughton, Malherbe,

\* Mr. Durrant Cooper in his article in the *Sussex Archaeological Collections*, vol. xviii., gives the names of Cade's principal supporters, and he says "they subsequently held office under, and warmly supported, Edward IV."

† *Archæologia Cantiana*.



JACK CADE'S CAVERN AT BLACKHEATH.

Smarden, and Pluckley furnished as many men as could be found in our own days fit for arms. This is a most significant fact in settling the nature of the rebellion. The movement was not from beneath upwards, but from the centre to those around. It proves, as Dr. Stubbs says, more than anything else in Henry's reign, his utter incapacity for government (*Const. Hist.*, iii., 150). And it proves also that Cade was the instrument in the hands of some power more potent than his own, a power which can only be identified with that of the Duke of York.

These are the opening incidents of the rebellion, and without following the course of events minutely, all of which are duly recorded in Hume and other historians, we propose turning to some special features which must be of some interest to our readers. We obtain an absolutely unique picture of the rebel's camp on Blackheath from the *Paston Letters*, so ably edited by Mr. Gairdner. Sir John Fastolf was residing at his house in Southwark at this time, and as a member of the King's Privy Council he thought it right to send one of his servants, John Payn, to ascertain the demands of the rebels. John Payn was captured, and he afterwards wrote an account of his adventures in the camp to John Paston, his then master. He says:—

Al so sone as I come to the Blaktheth, the capteyn made the comens to take me . . . and then the capteyn lete cry treson .upon me thorought all the



felde, and brought me at iiij partes of the feld with a harrawd of the Duke of Exetter before me in the dukes cote of armes, makyng iiij oyes at iiij partes of the feld; proclaymyng opynly by the seid harrawd that I was sent thedyr for to espy theyre pusaunce, and theyre abylyments of werr, fro the grettyst traytor that was in Yngelond or in Fraunce . . . And so furthewith I was taken and led to the capteyns tent, and i ax and i blok was brought forth to have smetyn of myn hede; and than my maister Ponynys, your brodyr, with other of my frendes, come and lettyd the capteyn and seyde pleyntly that there shulde dye a C. or ii that in case be that I dyed; and so by that meane my lyf was sayvd at that tyme.\*

This story is picturesque and dramatic, and if the tradition is true that the cave at Blackheath where Jack Cade encamped was not long ago still to be seen, we have in these incidents a more than ordinarily vivid representation of the events of the past. The *Illustrated London News* of April 1844, p. 220, gives an engraving of "Jack Cade's Cave at Blackheath," which we here reproduce, and it would be interesting to find out upon what kind of basis this tradition is founded. Hasted, the historian of Kent, does not mention it, and Lambarde says of the rebellion of "Michael Joseph (the blacksmith) and the Lord Audley under the reign of King Henrie the seventh," that "their remaineth yet to be seene upon the Heathe, the place of the Smithes Tent called commonly his forge." The history of Blackheath is yet to be written, and a not unimportant portion of it will be the investigation of the many barrows it once contained, and the identification of the remains left by the many rebel leaders who have encamped there before descending upon London, their usual prey.

When Cade arrived before London he was admitted, with the concurrence of the Court of Common Council. According to Fabyan,

Vpon the seconde day of the sayde moneth (July 1450) the mayer called a comon counsaill at ye Guyldehall, for to puruey ye withstandynge of thysse rebellys, and other matyers, in which assemble were dyuers opynyons, so that somethought good that the sayd rebellys should be receyued into y<sup>e</sup> cytie and some otherwise, amonge ye which, Robert Horne, stok-fyshmonger, then beyng an aldermā, spake sor agayne theym that wold haue hym entre. For the which sayinge, the comons were so ameuēd agayne hym that they ceasyd not tyll they hadde hym comyitted to warde. (P. 623.)

\* Gairdner's *Paston Letters*, vol. i., pp. 132-133.

This account of Fabyan is now supplemented by the important researches of Mr. Orridge in his volume of *Illustrations of Jack Cade's rebellion from researches in the Guildhall records* (1869), from which we learn that Alderman Thomas Cooke, a wealthy citizen, was the London agent of Cade, a devoted adherent of the Yorkist party, and in active opposition to Malpas and Horne, both of them Lancastrians. The whole position, as surveyed from the London records, conveys the idea of the commencement of the fight between the two houses of York and Lancaster, and when we add to this the evident desire of other corporations to stand well with, if not to support, Cade, the nature of the rebellion is pretty well placed beyond dispute. The corporation of Lydd "paid John Benet for a horse on which John Fermour the younger, the constable, rode to Asheforde—for to aspye tythyngne [tidings] of the capitayn of the oste,"\* and this anxiety was further shown a little later on when the same corporation "paid for one purpoys sent to the captain by the jurats and commoners," and

For the hire of one horse ledying up the said purpoys from Herietyssham to Londone to the capitayn; for the hire of a horse that John Menewode rode uppon to Londone the same tyme for to helpe to present the purpoys to the capitayn; for an horse hire that Richard Alayn rode uppon from Lyde to Londone with the purpoys, and for expenses the same time in ledying uppe the purpoys.†

All these expenses amounted to the goodly sum of twelve shillings and elevenpence. Jack Cade was alluded to as "the captain"; also in the records of Rye the desire being "to have his friendship," and they "paid to John Hays for carrying a letter to the captain in excuse of this town 3s. 4d." Romney followed suit in all this, as appears from their records.‡

This appearance of law and the concurrence of the City of London in the pretensions of Jack Cade make his actions when he entered London very important. One particular incident has been alluded to (*ante*, p. 101), and it has been related in vol. v., p. 80; but the story coming as it does with all these additional particulars of the pro-

\* *Hist. MSS. Com.*, v., p. 520.

† *Ibid.*

‡ *Ibid.*, p. 543.

gress of Cade under the legal protection of counties and towns through which he passed render his famous dramatic action at London stone all the more significant. For the first time it has now become known that the same tradition is recorded of Wat Tyler, but it is to chronicle narrative that we owe a record of Cade's action. Holinshed, himself a Londoner, says Mr. Coote, and a diligent recorder of the events of his own city, tells us that when Cade first of all entered London he proceeded to London stone, and having struck his sword upon it said, "Now is Mortimer Lord of this city."

Pennant, in 1793, was the first to note that this act was something more than a piece of meaningless nonsense,\* but it was reserved for Mr. Coote to put it in its true place as a fragment of municipal folk-lore.† He points out that Holinshed attached a meaning to it, and that the crowd of Londoners who witnessed it must have attached a meaning to it. Well, what was that meaning? It is almost lost to us in London municipal custom. We find that London stone entered into municipal legal procedure, as when the defendant in the Lord Mayor's Court had to be summoned from that spot, and when proclamations and other important business of the like nature was transacted there‡; and the direct clue to the action of Cade and its consequent association of London stone with an archaic Aryan custom, is found by turning to a parallel municipal custom at Bovey Tracey, when on the Mayor's day the Mayor used to ride round the stone cross and strike it with a stick. This significant action proclaimed the authority of the Mayor of Bovey, and it is not difficult to translate this curious parallel into the explanation which comparative politics affords of the old municipal custom at London stone.

Mr. Coote observes in his account of the transaction,

Must we not understand from the action and the words which accompanied it, that the victorious rebel considered the stone, which he thus appropriated, secured to him the lordship of the city? If we are justified in so thinking (and I consider that is the only

construction to put upon Cade's words), then we should in the first place take them as an authoritative declaration of an ancient London tradition that between the stone and the lordship of the city was a close, if vague, tradition. This tradition, of which Cade so readily availed himself, must have originated within the walls of London, because it referred to the City, and was intelligible to the citizens who were present. Their actual presence must be inferred, for unless some such had been present, Holinshed's account of the affair would have lacked these and other particulars. Besides, if Cade's address had been only the unmeaning rant of a stranger, we should have had a comment from Holinshed upon its absurdity and want of application to the occasion. But of comment or objection nothing whatever is said.

These considerations quite establish the fact that the custom was a standing one in London, and the chap-book historian of Wat Tyler knew of it and knew its significance. Mr. Coote, however, fixes its origin as one of entirely local, *i.e.*, London, importance. To this I cannot agree. The parallel Bovey Tracey custom breaks the foundation for this theory, and opens the way to its identification with archaic Aryan custom in survival among municipal institutions.

The truth is London stone was at this time a part of the municipal life of the city, and was descended no doubt from a far more archaic life, which was introduced by the Saxon conquerors of London; and it is interesting to have ascertained that the study of these rebellions in English history is capable of turning our attention to those interesting bye-paths of national life, which no chronicler or historian has troubled himself to record for their own sakes.

When Cade left off observing the city customs and took to plundering, he quickly found that the citizens could defend themselves. He was accustomed to retire to Southwark every day. On Sunday, the 5th of July, however, he found his way over London Bridge barred, and a fight began. We see here how well the citizens of London fought, and with what tenacity they defended their city from the onslaught of the Kentish yeomen. Mr. Gairdner states that Cade

called his men to arms and attacked the citizens with such impetuosity, that he drove them back from the Southwark end of the bridge to the drawbridge in the centre. This the insurgents set on fire, after inflicting great losses upon the citizens, many of whom were slain or drowned in defending it. Still the fight was obstinately contested, the advantage being for the moment now with one party and now with the other. It continued all through the night till nine the follow-

\* *Some Account of London*, p. 4.

† *London and Middlesex Arch. Soc.*, vol v., p. 282.

‡ *Brandon's Customary Law of Foreign Attachment*, p. 6; and *Lord Mayor's Court of the City of London*, p. 14.

ing morning, when at last the Kentish men began to give way, and a truce was made for a certain number of hours.\*

The battle of London Bridge was the last struggle of the kind in London, and serves to show the vigour of municipal life at this juncture. The citizens, deserted by the king and his councillors, took the law into their own hands, and the pitiful spectacle of civil strife is relieved by the historical outlook, which shows us that the men of Kent could band together as of yore against the great city, which had sufficient municipal organisation and independence to maintain and carry out successful resistance. They had the aid of more than one of Henry V.'s soldiers, and one of them, Matthew Gouch, long feared by the French, was slain.

The rest of the story is one which shows up the intrepid but mistaken ideas of Cade. Pardoned by the king's special proclamation, his followers rapidly left him, but he pursued his way with the remnant, and committed fresh acts of treason. Then the Government acted vigorously. No longer called John Mortimer, as in the previous pardon, he was now proclaimed as a traitor, under the name of John Cade. Kent and Sussex have both contended for the honour of his capture, but Mr. Furley, in his *Weald of Kent*, has summarized the facts, and proved that the famous and well-known struggle, which has made the name of Alexander Iden live in people's memories, took place at Hothfield in Sussex. Cade, after his death, suffered the hideous performances then pronounced upon traitors, and there does not appear to be any features of his career which call for sympathy or pity.

G. L. GOMME.



## Henry Hills, the Pirate Printer.

BY EDWARD SOLLY, F.R.S., F.S.A.



WHO was Henry Hills, what did he do, and why was he commonly called the Pirate? It is very easy to ask these questions, but very difficult to give so clear and distinct an answer to them as could be desired. In all

\* *Paston Letters*, vol. i., p. liv.

the ordinary sources of biographical information, we look in vain even for his name, and the searcher for information, after much trouble, fails to learn when and where he was born or educated, and what was his parentage. There seems no help for it but to commence as fairy tales usually do, with "once upon a time"; accordingly I will begin my attempt to give some account of the Pirate Printer, by a reference to Nichols's *Literary Anecdotes*. "One Hills was Printer to Oliver Cromwell" (i. 525). He appears in 1654 as the printer of several Acts and ordinances, in conjunction with the celebrated William Du-Gard; these two being designated on the title-pages as "Printers to His Highness the Lord Protector." In 1657 we find sundry Acts "printed by Henry Hills and John Field, printers to His Highness the Lord Protector"; and in the same year H. Hills printed a folio edition of the Holy Bible, with notes by T. Haak, in two volumes. In 1659 he describes himself, on certain military manifestoes, as "Henry Hills, printer to the Army, dwelling in Aldersgate Street, next door to the Peacock." Shortly after the Restoration, in 1660, H. Hills and J. Field printed a Bible in 8vo. In 1678, in conjunction with Bill, Barker, and Newcomb, he printed a quarto Bible, and the same year there were issued many Acts of Parliament printed by "John Bill, C. Barker, and Henry Hills, printers to the King's most Excellent Majesty." In 1679 H. Hills printed many declarations and statements, in relation to the Popish Plot, and the consequent trials and executions; and in 1680 he continued to do this in conjunction with Bill and Newcomb as royal printers. Between 1679 and the close of the century, Hills took part in printing at least eleven Bibles. In 1684 Henry Hills was one of the Wardens of the Stationers' Company. At this time there appear to have been two of the name printers, for some of Dr. Calamy's tracts are stated to be printed by "Henry Hills, Junr.," in 1683-4. There is also a discourse on *Auricular Confession*, published by B. Tooke, "printed by H. Hills, Junr.," and bearing date 1648. This, at first sight, is very confusing, and seems to carry us back to the reign of Charles I. Probably, however, it is merely a misprint, and

1648 stands for 1684; we may reasonably assume that in 1684 Henry Hills was King's printer, and that Henry Hills, Junr., was either his son or nephew. I have found no evidence as to when H. Hills died, but the royal patent of course continued in his family. In 1688 H. Hills was printer to the King, and his printing house was "on the ditch side, Blackfriars." In 1709 books were printed by Henry Hills and Thomas Newcomb, printers to the Queen. Probably this Hills died in 1711, for there is a small Bible printed in that year "by the assigns of Thomas Newcomb and Henry Hills deceased, printers to the Queen." Shortly after this the remainder of their patent was assigned to John Baskett.

Early in the reign of Queen Anne, a Henry Hills became notorious as a cheap printer; he had no respect for the customs of his craft, and he did not hesitate when any good poem, pamphlet, or sermon was printed, immediately to reprint it in a much cheaper form. This was deemed a low and mean proceeding; doubtless publishers tried to make him give up the practice, but he would not, and he continued it to nearly the time of his death. Nichols states (*Literary Anecdotes*, i. 72) that this Henry Hills was the same one who held the office of Queen's printer in 1709. It is plain that he was in full work in 1707, for at the end of a cheap reprint of De Foe's *True Born Englishman*, printed by him in the year 1708, price threepence, there is a list of upwards of sixty "Poems, etc., printed and sold by H. Hills, in Black-Fryars, near the Water-side; where several more may be had that are not here inserted." The following year, 1709, he printed *Windsor Castle*, a poem, which on the title-page he described as "Printed for the benefit of the Poor." At the end of this little tract there is a curious advertisement, which serves to show one mode in which he transacted business. He says:—

Whereas the printer hereof did receive two letters by the General Post from an unknown hand, the last dated July 1st, 1708. If the gentleman who sent them shall be pleased to communicate any such copies as there mentioned, they shall be justly and faithfully printed and published, and the favour most thankfully acknowledged by H. H.

In 1707 and 1708 Hill had printed and

reprinted a very large number of sermons, most of which are stated in the title-page to be "for the benefit of the Poor," and many have on it "price one penny"; one of his lists contains 173 sermons, and ends "where are several others too numerous to insert." Of many of these sermons, and as a rule he only reprinted good sermons by celebrated preachers, Hills issued several penny editions; perhaps it may safely be said that he must have printed nearly a quarter of a million of sermons between 1707 and 1710. Doubtless many were glad to get the sermons of Dawes, Blackall, Secker, and other eminent divines for a penny, instead of a shilling or two; and perhaps the size being post 8vo, in place of large 4to, were not without its attraction. Hundreds of country preachers found these small sermons very convenient, for when placed in a suitable black wrapper, they passed muster as original sermons of the preacher, and "rather above the average." It was this which led to the poetical line, so often quoted:—

And Harry—Hills his parish once a week.

But though Hills certainly printed a very large number of sermons, tracts, pamphlets, and poems, he did not carry on this piratical trade very long. There were two distinct circumstances which put an end to it. The first was the celebrated copyright Act, passed on the 5th April, 1710, which brought the pirate printer within the pains and penalties of the law; the second was the death of Hills himself. The date of his death I am unable to give, but in the *Evening Post* for the 12th November, 1713, there is an advertisement setting forth the sale of the entire stock of the late Henry Hills, printer in Blackfriars,

at the Blue Anchor in Paternoster Row. N.B.—There can never be any of the same, or any in the like manner, reprinted after these are gone, there being an Act of Parliament to the contrary.

Hills's stock of course passed into the hands of other booksellers, and was utilised in various ways; many of the sermons were bound up in volumes, and are now not unfrequently to be met with. So also with the poems, but a considerable quantity of them



were bought by T. Warner, of the Black Boy in Paternoster Row, who had them bound up in volumes, and printed a special title-page, calling them *A Collection of the best English Poetry*, by several hands, in two volumes, 8vo, price 10s., 1717, "printed and sold by T. Warner." This, of course, was not true; the title-page may have been printed by Warner, but the poems were all printed by Henry Hills. There is no index, and possibly the copies vary in their contents; my copy includes poems by Milton, Swift, Waller, Dryden, Addison, Congreve, and others; in all 106 poems. Though the stock of Henry Hills was thus dispersed, he left a son, Gilham Hills by name, who like his father was a printer, succeeded to his patent as royal printer, and died at Morden College in 1737. It is remarkable that the name of Hills is not even mentioned in Dunton's *Life*.

The low price which Hills charged for his tracts, generally only one penny, of course, whilst it disgusted the rich publishers, but pleased the poor readers, rendered it necessary that he should reduce the cost of his issue to the lowest possible figure; hence he almost always used paper of a very inferior description. This led to his introduction into the "lines addressed to Bernard Lintott" by (?) Dr. King, in 1712, when the *Miscellaneous Poems*, which contained the first incomplete *Rape of the Lock*, was published (page 173):—

While neat old Elzevir is reckon'd better  
Than Pirate Hills' brown sheets and scurvy letter,  
While Print admirers careful Aldus chuse  
Before John Morphew, or the Weekly News.

In reference to the concluding line, it will of course be remembered that when Steele brought out the *Tatler* in 1709, Morphew was his publisher. The price at first for each number was one penny, and of necessity the paper was of very inferior quality. This led to a very amusing letter in No. 160 from Tom Folio, who says:—

The tobacco paper on which your own writings are usually printed, as well as the incorrectness of the press and the scurvy letter, sufficiently show the extent of your knowledge. I question not but you look upon John Morphew to be as great a man as Elzevir, and Aldus to have been such another as Bernard Lintott.

VOL. XI.

There was not so much printer's work in each number of Steele's *Tatler* as there was in one of Hills's sermons, yet Morphew soon found out that it would not pay at the price of a penny, and it was, in consequence, soon raised to twopence, at which rate it paid well. Of course Hills paid nothing to his authors, whereas, though Steele was at first quite willing to receive little or nothing for the first numbers of the *Tatler*, there is no doubt but that he expected to be paid, and was paid, as soon as the paper became known and appreciated by the public. It must be fully admitted that Henry Hills, the printer of Blackfriars, was certainly "a pirate"—that is to say, he brought out very cheap reprints of new books, paying nothing for the right of doing so, either to the authors, or to the original printers. There was then no law to the contrary, and though Hills was by no means the first printer who "poached upon his neighbours' manors," yet he was certainly one of the most active and successful of the tribe. When Defoe, in 1701, brought out *The Trueborn Englishman*, it excited very considerable attention, and soon came to a second edition. In his own account of the matter, he states that in the few succeeding years he published in all nine editions, which were sold at a shilling each; but he complained bitterly that in the same time pirate printers had issued twelve editions, amounting to at least 80,000 copies, which were sold for a penny and twopence each. Defoe says that in first printing it, "tho' he eyed no profit, yet had he been to enjoy the profit of his own labour, he had gain'd above £1,000." There is, of course, in this a manifest fallacy; if the price of a shilling a copy had been adhered to, Defoe would not have sold 90,000 copies! These cheap reprints were a very good advertisement, not only of the poem itself, but also of the writer, and above all they did far more to disseminate the author's views and convictions amongst the people at large than could have been effected in any other way. Looking back, after the lapse of 180 years, we can hardly deny that if literary pirates did some harm, they also did a great deal of good. To Henry Hills we mainly owe the Copyright Act of 1710, and we also may trace to his efforts what may be called the Free Trade in litera-

M

ture—the doctrine that though an author is fully entitled to get all he can for the work of his brain, yet that as the value of that depends mainly upon the amount of good his work can effect, and that in turn must depend on the price at which it is sold, so there is a natural relation between the interest of writers and that of readers. Books do not sell merely because they are low priced, but because there is merit or useful information in them, and therefore it is to the interest of all that a good book should be sold at the lowest possible price consistent with a reasonable profit. The question of the cheap spread of sound literature was fully considered in 1710; and in the matter of cheap sermons, no doubt the rights of authors, the profits of printers, and the benefit of the public were not forgotten. It was this which led to the insertion of a special clause in the Act, restraining any bookseller or printer from setting a price upon a book such as shall be conceived high and unreasonable, and making it

lawful for any person to make complaint thereof to the Archbishop of Canterbury, the Lord Chancellor, the Bishop of London, or others who shall have full power to call before them such booksellers, etc., and with full power to redress the same, and to limit and settle the price of every such printed book.

The Act also had a reference to the "tobacco paper" used by the cheap pirate printers; for the clause which provided for the presentation of copies of all printed works to certain public libraries, ordained that they should be, after the 10th April, 1710, "on the best paper."

From what has already been stated it is plain, with all his faults, that Henry Hills was a public benefactor; and we may ask whether he is not fairly entitled to some credit and belief on account of his assertion "printed for the benefit of the poor." If we take one of his closely printed 8vo sermons of sixteen pages, it is difficult to see how any publisher could afford to sell it for a penny, taking into consideration the cost of materials, labour, and press work in 1705-10, even if he sold off the whole edition, which we know in many cases he did not do. It is, of course, not fair to compare the press work of 1710 with that of 1885—one of Hills's sermons, for example, with the *Vicar of Wakefield*,

pp. 78, 8vo, published lately at Liverpool, printed fairly in double columns, with ornamental wrapper, folded, cut, and stitched (I regret to say with wire) for one penny; and presumably sold at a profit. Hills was not the only, if he was the first, printer in Queen Anne's time who printed sermons cheaply, "for the benefit of the poor"; thus in 1705 F. Thorn, near Fleet Street, published cheap sermons, "for the benefit of the poor"; and in 1706 D. Brown in Westmoreland Court printed sermons, and stated on the title-page, "Published for the Good and Benefit of the Poor, that have not six Pence to lay out." The act of thus reprinting sermons was of course an act of piracy, but the act acquires a very different complexion, if, as appears probable in these cases, the printer did not, and could not hope to, make any personal profit by the transaction. On the whole, I am inclined to think that Hills was by no means the "black sheep" he is usually depicted, and that his name ought rather to be remembered as one who did some very good service, than as a kind of literary burglar, worthy of reprobation and abuse. It were to be wished that we had a little more information about his private history and family. Often he printed anonymously, but generally he gave his name in full; some of the reprints of Defoe's works appear as "Printed by P. Hills in Blackfriars." It is not clear whether this was an error, was done on purpose, or whether there was another member of his family, who worked with him. There were certainly three generations of Hills known as printers,—Henry, printer to Oliver Cromwell and to Charles II.; Henry, probably his son, who was Royal printer from the time of James II. till 1709, who was called the Pirate; and Gilham Hills (the son of the Pirate), who died at Morden College in 1737; the death of whom is recorded in the *Gentleman's Magazine*, vol. vii., p. 638, as "formerly Patentee of the King's Printing Office," showing that Henry Hills did not sell his interest in the Royal Patent in his life time.



## Venice Before the Stones.

BY W. CAREW HAZLITT.

## PART III.

**I**N another place \* the present writer has attempted to assist the formation of some definite ideas on the subject of early domestic architecture, when the Republic had emerged from absolute barbarism, and was in possession of the Gothic masters of building and decoration. Till its demolition in 1781 the ancient Casa Dandolo afforded a sample of the residence which was thought suitable for a high Venetian family of the twelfth century; but altogether the exteriors of the city are far better known to us than the aspect and furniture of the rooms, and even in the solitary instance of the Palazzo Morosini the household effects and the trophies and objects of art are of too late a date for our immediate purpose.

It was in the Hall that entertainments were usually given, especially those on a large scale. Meetings of interest to the various branches of a family were held in it. As long as the Ducal Court was one of circuit, and the Doge himself combined the duties divided in England between the King and the Grand Justiciary, this part of the house was often devoted to the hearing of suits. In the hall of the Casa Polo the great explorer received his friends and kinsfolk at a banquet on his return in 1295. Out of it a series of doors opened into apartments intended for reception or for family use, and the various offices. The *terreno*, or basement, generally contained one of the principal sitting-rooms, where, or in the portico or hall, were arranged the armour and other relics preserved by the family. Above, in the second storey, were the dormitories and a private chamber, employed as a withdrawing room for the ladies.

It is Ramusio who preserves that graphic and singular account of Marco Polo and his two kinsmen returning home in 1295, dressed like Tartars, and so much altered in their features by exposure and privation, that even their own family and their most intimate friends did not recognize them; to which the

old historian produces the parallel case of Ulysses. The interest of the little narrative is immensely enhanced by the distance of the period and the celebrity of the central figure. They had even forgotten the Venetian language. On proceeding to the Palazzo Polo at San Grisostomo, they found several of their kindred assembled, and it was with great difficulty that they made these understand who they were, as they had been long thought to be dead. They hereupon resolved upon an expedient, by which they might make themselves known to their family and connections, and at the same time to the whole city. A splendid banquet was arranged, and to it were bidden all the members of the House of Polo and their friends. When the guests had assembled, and were seated at table, the three travellers entered, attired in robes of crimson satin down to their feet, "as the custom in those days was." Water was brought to them, and having immersed their hands, they bad the company to be seated. They then divested themselves of their satin garments, and arrayed their persons in similar ones of crimson damask, ordering the satin dresses to be cut up and distributed among the servants. Then Marco Polo, his father and his uncle joined their friends and kinsfolk in the repast, and when they had partaken of some of the dishes, they rose once more, cast off the damask, and had others of crimson velvet brought, which they donned in the presence of all, the servants, as before, receiving the damask as a perquisite. The same lot, at the conclusion of the feast, befel the velvet suits, and finally the Poli appeared in woollen like the rest. This series of incidents naturally created much surprise, and Marco, as the youngest, having ordered all the servants to quit the hall, and the mantles being removed, fetched from one of the apartments the coarse clothes in which they had returned home. Taking a knife, he unripped the linings and pockets, and laid out before the astonished visitors all the precious stones which he had sewn up in this ingenious manner, because it would have been dangerous and difficult to carry so much gold; and when those present beheld this extraordinary treasure, they marvelled exceedingly, and no longer doubted that the strangers were indeed what they

\* Hazlitt's *Venice*, 1860, iv., 275-8.

professed to be. The news spread, and crowds flocked to the Casa Polo to embrace the long-lost travellers, and to see the wonders which they had brought with them, and to hear from their own lips the account of the strange regions which they had visited, and of the fabulous wealth of the Great Khan. It was Marco's fashion of reckoning the riches of the princes whom he had seen by millions, that led to his fixture with the name of *Messer Marco Milioni*, and two centuries and a half later, when Ramusio wrote, the Casa Polo was still popularly called *La Corte del Milioni*.

Previously to the revival of culture and the introduction of typography, the scope of the connoisseur was necessarily much restricted. Yet he might have, if he chose, manuscripts of the classics, of more recent authors, and of the Scriptures; Books of Hours and Missals which, in the thirteenth and fourteenth centuries, displayed a beauty of style and a chaste grandeur of design not degraded by popularity and cheapness; Oriental porcelain of fine paste and workmanship; medals and coins of innumerable types and periods; paintings in the hard and frigid manner of the first Italian masters, and remains of ancient sculpture and architecture. But the antiquary, as we know him, was a somewhat later creation; the earliest private collections were probably not formed prior to the fifteenth century, and the mediæval Venetian was more disposed to invest his capital in ships and cargoes, counters and houses at home and abroad, or in Government stock which, if it was less advantageous, was more secure. It is curious to consider that, with the now reigning and almost tyrannical love of what is old, the furniture, the kitchen utensils, and the money in daily use by that same Venetian, if he was a housekeeper of fair resources and taste, and they, by some miracle, had descended to us in an unimpaired state, would be prized at more than their weight in gold ducats, while similar illustrations of the domestic life of the Greeks and Romans would have probably possessed in his eyes no interest whatever. An omnivorous study of bygone ages was reserved for men and for times whereof he had formed no conception.

Before any system of communication by bridges was undertaken, a service of ferry-

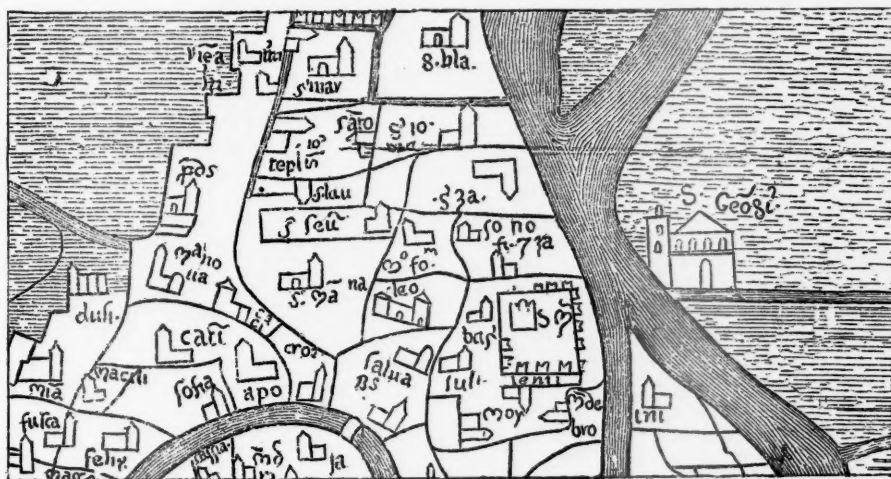
boats had enjoyed the important monopoly of conveying passengers from island to island. The Board of Works, instituted between 809 and 827, threw certain bridges of timber across some of the leading thoroughfares, and to these the allusions are not unfrequent. The Ponte della Paglia, between the Palace and the Abbey of San Zaccaria, formed successively the scene of two acts of regicide. The Doge Tradenigo was assassinated there in 864, and a second Doge in 1172. Temanza fixes 1360 as the date of its reconstruction in stone much in its living form; but he, at the same time, offers an explanation of the name, which can hardly be accepted. He desires us to believe that eighty of the members of the Great Council left their horses at this point at bait, while they were engaged in their official duties. But the appellation seems to have existed long before the Great Council was organized, and before the city was knit together by bridges; and by far the more reasonable hypothesis is, that the Ponte della Paglia was originally built and maintained out of the duty on straw, of which large quantities were used in mediæval Venice for thatch and litter, in the same way that old London Bridge was built out of the wool dues. Between 1172 and 1178 the Government found it desirable to rebuild many of these primitive structures; but the Ponte della Moneta, or Bridge of Money, where the sixteenth century erection at present over-arches the Grand Canal, did not supersede the rude contrivance laid on hulks, which had been the earliest experiment, till a generation or two later. In 1310, the singularly minute details which have been transmitted to us of a great political plot bring to light the Ponte del Lovo (so-named, not improbably, after the cognominal wood) and the Ponte del Malpasso, between San Matteo and the Square of St. Mark. In 1379, we are apprised of a drawbridge over the canal of Santa Caterina, between Great and Little Chioggia (or Brondolo), and in such a manner as to make us surmise that it was then hardly a novelty; and the canal behind San Moisè was perhaps spanned by a second communication of the same class, so long as the Piazza preserved its feudal cincture. In 1441, on the occasion of an important ceremonial, recourse was had to a bridge of boats



to transport the bridal party from one point to another; and it is ascertainable from a multiplicity of sources, that the less central and frequented parts of the Dogado were furnished with regular means of intercourse only by a gradual process, and that, in many cases, even where a new bridge was thrown over some canal, it was retained as private property by the individual who had built it agreeably to the terms of the original grant of the land, in the same manner as some of the lanes or courts created under similar auspices; while a visit to the more remote islands involved, as it does even now of

came something more than a Bond of Villages under a chieftain, by name a Doge.

But it was during the close of the twelfth century that the first marked stimulus was given to metropolitan improvements and embellishments; and, on the whole, it is to the third quarter of that century that we should date back the original production of the highly important chart of Venice, first engraved by Temanza (from an augmented fourteenth-century copy, I conceive) in 1781. The author was doubtless an ecclesiastic; and he has done for us scarcely anything beyond the delineation of the relative positions of the



PLAN OF A PORTION OF MEDIEVAL VENICE (FROM TEMANZA), SHOWING ST. MARK'S SURROUNDED BY A WALL.

course, the services of a gondolier or a steam-boat. Generations were to come and go before the canals were to see the noble architectural works which arrest the eye of the modern traveller—works which give an impression of solidity and symmetry, and sometimes of gloom. Yet, as an engineering achievement of the expiring years of the sixteenth century, the bridge of Antonio da Ponte is unapproachable in historical interest and professional merit.

Between the ninth and thirteenth centuries the Republic was engaged in enfranchising itself by degrees from the narrowing and cramping influence of mediævalism, and be-

churches and conventual establishments scattered over the city and suburbs. It is quite possible that he would not have included the Piazza, had it not been for the sacred edifice which formed part of one side of the irregular square. The representation of the Church of St. Mark and its immediate vicinity, the mother Abbey of San Zaccaria, the primitive San Giorgio Maggiore, forefather of Palladio's building, and the old Arsenal,—all of which he has sketched to our great profit,—makes the real value of this historical archive.

The Marcian MS. employed by Temanza may thus be assumed perhaps to depict with tolerable fidelity St. Mark's and its precincts,

prior to the notable alterations made during the short but fruitful dogate of Sebastiano Ziani (1173-8). The government had at this juncture the happiness to meet with a capable Lombard engineer, named Nicolo Barattiero; and, the necessity for action having long been felt, the most likely view is, that the foreigner submitted plans to his employers, and received a commission to execute them. The effect of these operations was to transform the space at present occupied by the Piazza and Cathedral into an area, which in general followed the modern lines; and in order to carry out such an object it was necessary to level the Brolio (corruptly Bruollo) by filling up the ancient canal in the centre, and to remove not only certain dilapidated buildings, but the sixth-century church of San Geminiano. Barattiero unquestionably found plenty of scope for his ingenuity and enterprise; but how far the Government was induced to go with him seems altogether uncertain; the Venetians throughout evinced a partiality for fractional progress in public works, germane to that displayed by them in perfecting their Constitution; it was assuredly rather a question of temperament than of finance, however loth a commercial nation might at times feel to allow more or less sentimental improvements to trench on funds demanded more imperatively elsewhere; and we must confess ignorance of the precise date or dates at which the fortifications of St. Mark's Square, the palace, and the Riva successively disappeared. Without being too incautious, one may presume that the ducal residence became, through this able and ordering agency, the building which Geoffrey de la Villehardouin so warmly admired and eulogized, when he saw it in 1201, but of which nothing now remains. Round the Piazza and Piazzetta centred always more or less the life of Venice, and it was there that Barattiero, so far as one can collect, bestowed his exclusive attention. The private resources of the Doge went very far toward the liquidation of the heavy outlay, and his personal wishes, as a matter of course, would be largely consulted. It is certainly reported that Ziani caused the Square of St. Mark to be furnished with an arcade, and in that case the existing wall was necessarily taken down.

A covered walk for the citizens was, in such a place as Venice, both commercially and socially scarcely more than a common need, and something was effected perhaps by Barattiero in this direction, though his promenade was beyond a doubt widely different from that which later men put there.

At any rate, the Lombard contractor crowned his performances by the proud exploit of raising, where they still exist, the two granite columns, brought from Scio a few years before, and laid aside till some site could be found for them, or perhaps, rather, till some person of genius presented himself to lift them into position.

An appreciable advance in the direction of rendering the city worthier of its political rank and fame must have been anyhow accomplished; but we must not suffer our fancy to portray for us more than a feeble and distant approach to the ultimate result. Yet we may indulge ourselves so far as to speculate with what wondering eyes an intelligent contemporary observer would follow the successive destruction of so many time-honoured objects, the gradual demolition of the tenth-century wall built along the Riva to keep out the Huns (perchance the very Schiavoni after whom it was named), where, instead of the broad expanse of the Molo toward the sea or Grand Canal, there was long nothing but a narrow causeway between the rampart and the water, and the dismantlement piecemeal of the Doge's vast and gloomy dwelling, once a feudal stronghold. To Barattiero, whatever was the precise limit of his labours, was undoubtedly due the credit of having done more than all his predecessors to impart to Venice an architectural tone and an incipient regularity of outline. He was soon followed by men greater than himself, and the temper of the Venetians, flexible and passive enough where no dark and sanguinary passions were kindled, readily adapted itself to new conditions and demands. Subsequently to the conspicuous reforms set on foot by the rich Doge Ziani, and (obsequiously to the proprietary genius here thus early masterful) effected in no unimportant measure at his own expense, many years elapsed before any farther progress was made. In the middle of the thirteenth century, the supply of a brick pavement to

the Piazza was considered a great public convenience, and it is difficult to avoid the conclusion that St. Mark's Place was by degrees hereabout assuming an aspect more consonant with our ideas of it, and having the colonnade added, as circumstances allowed, to three sides of the quadrangle. But when we consider the universal tendency of customs and sentiment to perpetuate themselves, and to become contemporary with a state of manners and opinions with which they are totally incongruous, we shall be prepared to believe that at Venice there was a long survival, both within the old walled palace and without, of practices and forms which would force themselves on the Venetian mind in the light of anachronisms only by a very slow process; certain vested privileges had grown up round the Doge and the Constitution, and had become parcel of both; a large amount of land, of which the value could not fail to increase, was held under feudal obligations, which it was perhaps the interest of the beneficiaries not to suffer to shrink into desuetude; and assessments in kind for the body-guard, gondola-service, and Bouche or kitchen of the Court, which had at the commencement been charges on waste or worthless plots of ground, were levied, before they were discontinued or commuted, on profitable estates.

About a hundred years before the great architectural and political movements of 1175, which achieved such important and wide reforms in the aspect of the city and in the framework of the Constitution, namely in 1071, we find that Domenico Selvo, one of the two ducal gastaldi or tribunes, was chosen by acclamation as Doge. No further electoral formality was discharged or demanded, and Selvo was admitted in due course to the office, which he enjoyed through several years.

For our knowledge of this historical fact we are solely indebted to a contemporary account of the accession of Selvo by one of his canonici, Domenico Tino. It is the first and only early ceremony of the kind of which an eyewitness has handed down particulars. But the value of the account\* is retrospective; for the mode of proceeding in this case was not substantially different

from that which must have ordinarily prevailed in the days of universal suffrage; and until the organic changes of 1172, which first supplied a regular and strict machinery for arranging the ducal succession, no systematic method, in point of fact, was in force for submitting a candidate to the people, and carrying him to the throne. Under an elective government the initiative in each instance necessarily rested with the political parties into which the state was from time to time divided, and a critical consideration of the account left by Tino satisfies us that the friends of Selvo were just then able to command a majority in the Folk-Moot or Arrengo, and that his proposal on the next vacancy, instead of being an outburst of spontaneous enthusiasm, was a stratagem deliberately preconcerted. His prior position as a metropolitan tribune had, of course, added to his influence and popularity, and assisted the formation of a strong central committee devoted to his interests. To arrange the little dramatic scene, which the canonico has so artlessly portrayed, and to secure the national *Si! si!* was sufficiently simple: for since the more marked growth of aristocratic opinion at Venice, and the furtive introduction there of government by party, it had become easy for a group or federation of prominent families, with their accustomed adherents and hired emissaries, to communicate to an oligarchical act a republican semblance. In a State so placed as Venice the practical inconvenience of an unlimited suffrage and the indolent temper of the people forwarded the institution of certain settled forms, the rise of an electoral conclave, and the appointment of an official whose peculiar function it became to take the oath of allegiance to the successful candidate in the name of the Republic.

Nevertheless, in the elevation of a Doge agreeably to the lax primitive usage which went before the inexorable sovereignty of Rules and Capitularies, there is something which one is apt to find touching and picturesque. One tries to realize the gay and boisterous spectacle at Lido, the shouts of *Noi volemo Dose Domenico Selvo e lo laudiamo!* from a thousand lips, the clamour and stupendous excitement on the arrival at Venice of the newly-retained mourner at the grave

\* Hazlitt's *Venice*, 1860, i., 258.

of the late Serenissimo; the scene on the Piazzetta; the congratulations of friends, kinsfolk, and political supporters; the procession to the Cathedral (not yet the St. Mark's Basilica of later story), and the approach of the Elect to the high altar with unsandalled feet, encompassed by the clergy.

We have been supposing that the formalities so fortuitously described to us as attendant on the exaltation of a Doge in 1071 were in substance the same as had been witnessed before, and were subsequently repeated. There is a further point worth mentioning, more especially as it has a kind of bearing on the customs of some more northerly peoples. It is credibly related that, after the proclamation at St. Mark's altar of the Doge Ziani, the first elected under the new Constitution in 1172-3, certain workmen of the Arsenal lifted him into a high-backed wooden chair, and carried him (after the Frankish manner) on their shoulders round the Piazza, to introduce him to the public; that a largesse of special money was distributed among the bystanders as the procession moved along; and that the Doge's solemn investiture followed his return to the church. Here do we not see, as in the former case, an antique spectacle, often performed, but only in this single instance preserved for our information? The anecdote may be collated with the analogous usages which prevailed elsewhere.

Selvo could not have been greatly surprised to find, on making his entry into the palatial abode which was to be his home for life, that the doors were unhinged, and the whole of the portable furniture removed. The violence offered to the palace gates is suggestive of unusual precipitation, probably due to the impatience of feudal subordinates; but otherwise the new Doge found himself face to face with the customary conditions. The fittings and appointments provided by the retainers and clients of his predecessor for their chief and themselves, or by those whose contributory liabilities, by virtue of tenure or prescription, comprised bedding, litter, and other requisites for the ducal establishment, had simply lapsed to the reversioners. The incoming tenant and his dependants were expected to furnish anew. There was no permanent Wardrobe. Each

successive archaic governor of Venice relied on his own resources as a private citizen, or on those who had placed him in power, not merely for his commissariat, but for the table on which the dishes were laid, and for the chair on which he sat to eat his food. Nor was it till 1328 that any arrangement was attempted for putting an end to an order of things so primitive and indecorous. So long as the interior of the palace was systematically denuded from reign to reign, and there was nothing there which was recognised as the property of the Government or of the Doge for the time being, no prospect could arise of imparting to the court an adequate degree of dignity and magnificence. That proud and splendid mansion, with which exclusively the ordinary reader is conversant, began by being little more than a residence, in which each tenant, during his term of office, housed his own effects or those of his kindred and vassals.

(To be continued.)



## The House of Lords.

### PART V.

#### THE TRANSITION FROM TENURE TO WRIT. (Continued.)



IN investigating the transition from tenure to writ we have, admittedly, to take for our "fixed point" the well-known clause of the Great

Charter:—

Et ad habendum commune consilium regni, de auxilio assidendo aliter quam in tribus casibus prædictis, vel de scutagio assidendo, summoneri faciemus archiepiscopos, episcopos, abbates, comites, et majores barones, sigillatim per litteras nostras; et præterea faciemus summoneri in generali, per vicecomites et ballivos nostros, omnes illos qui de nobis tenent in capite.

This is our *terminus ad quem*. A century and a half, we must remember, had elapsed between the Conquest and the Great Charter, and, as we have seen, for that lengthy period the evidence is so scanty as to leave a wide field legitimately open to conjecture. But from whatever principle we elect to start, we have to arrive somehow or other at the same



*terminus ad quem.* There, at length, we stand on sure and common ground.

Now, differing as I do both from Dr. Stubbs and from Mr. Freeman, it is necessary that I should call attention to the striking way in which they differ between themselves. While they both look ultimately to the Witan, Dr. Stubbs elects to derive the assembly from a small council of "magnates"; Mr. Freeman from a gathering of all landowners, if not, indeed, of all freemen. Consequently, to reach their common goal, they have to follow paths which involve the adoption of theories diametrically opposed. Dr. Stubbs brings us to the Great Charter by widening the constitution of the assembly; Mr. Freeman by narrowing it. In the view of the former, the assembly was passing through a process of expansion; in the view of the latter, through one of contraction. Thus, Dr. Stubbs writes of the reign of Henry II. :—

Greater prominence and a more definite position are assigned to the minor tenants-in-chief. There is a growing recognition of their real constitutional importance, a gradual definition of their title to be represented and of the manner of representation, and a growing tendency to admit not only them, but the whole body of smaller landowners, of whom the minor tenants-in-chief are but an insignificant proportion, to the same rights. . . . The point at which the growth of this principle had arrived during the period before us is marked by the fourteenth article of the Great Charter. . . . The council is thus no longer limited to the magnates, but it is not extended so as to include the whole nation, it halts at the tenants-in-chief.\*

Mr. Freeman, on the contrary, argues as follows on this same "fourteenth article":—

The vague practice of earlier times had stiffened into a definite custom . . . . The right to be summoned was established in the case of the King's tenants-in-chief; but it did not go further. This amounted to a practical disfranchisement of all but the King's tenants-in-chief. There was no need to take away their right by any formal enactment . . . . the "land-sitting-men" of Salisbury easily stiffened into the tenants-in-chief of the Great Charter.†

So far from "the land-sittende men" including the tenants-in-chief, they were expressly distinguished from them. This misapprehension is one of the causes of the errors in Mr. Freeman's theory. The point of the comparison, however, remains. The

two views of the process which had been taking place from the Conquest are opposite and irreconcilable.

Dr. Stubbs and Mr. Freeman are both wrong; but I shall here, as throughout, address myself to the views of the former, as alone deserving of notice.

I claim, it may be remembered, that the House of Lords "descends . . . from the feudal *curia*, in which the *dominus* is surrounded by his *barones*."\* Once firmly grasp the conception of these *barones*, and no difficulties remain.

After straining every nerve to minimise the feudalising results of the Conquest, even Mr. Freeman is compelled to admit that—

the effect of William's confiscations and grants was to bring the tenure of land, the holding of land as a grant from a lord, into a prominence which it had never had before, to make it, in short, the chief element in the polity of the kingdom.†

That is precisely my contention. This was, in Dr. Stubbs' words, "the principle which was introduced at the Conquest."‡

The tenure of land was that "different qualification"§ for a place in the assembly from that which had been known before the Conquest. If, like most of our historians, we look no deeper than the surface, we may fail to detect any striking change; but if we keep steadily before us the "different qualification," the principle of *tenure*, we shall readily understand all that follows.

What then is the principle of *tenure*? Dr. Stubbs possibly, Mr. Freeman certainly, have failed to steep themselves in feudal principles sufficiently to grasp this idea. When we speak of "Barony by tenure," the idea suggested is always that of a dignity held in virtue of the possession of a particular estate. We think of such cases as the Earldom of Arundel, or the famous Barony of Berkeley. But this is not the principle of *tenure*. Tenure does not turn on what or where the land is, but on how it is held; tenure does not imply the relation of a man to his land, but his relation to his lord; tenure is not his privilege as the lord of a fief, but his duty as the man (*baro*) of his

\* *Ante*, x., 243.

† *Norm. Cong.*, v., 370.

‡ *Ante*, x., 243.

§ *Ibid.*

\* *Const. Hist.*, i., 605, 607.

† *Norm. Cong.*, v., 409-10.

lord. In short, the principle of tenure is derived, not from below, but from above. We must work down to it from the lord, not up to it from the land.

We start then from the assemblies of the Norman kings, necessarily, as in every feudal polity, composed of their tenants-in-chief (*barones*), and of no one else. This principle contained the seeds of its own decay, and must have steadily tended to break down from its very first introduction into England.

The worst flaw in this system, and the point that we ought to keep steadily in view, is the harsh and artificial division of society, necessarily involved by its conception. The relation to the lord being its sole standard, it attempted to place on an equality those often of most unequal position, while, conversely, on the same principle, it would sever, by a sharp line, those who socially were in all respects equal. A system so unnatural would be difficult to maintain, even under favourable circumstances, but that difficulty would be increased when it was introduced into a country of the size of England, at once by the greater number of those who, as *barones*, were all equally (*pares*) members of the *curia* (or *concilium*), and by the greater disproportion between the larger and the smaller tenants-in-chief; between (slightly to anticipate) the *barones majores et minores*. It is easy to understand that, on two grounds, the lesser *barones* would, from the first, keep away, as far as possible, from the *curia*. In the first place, the cost of attendance would be more serious relatively to them than to the magnates; in the second, even if they did attend, they would find themselves relatively powerless. Lastly, the feudal polity was, in England, superimposed on the existing native one, which, in its shire system and in its popular courts, maintained a rival organisation.\* It is, therefore, our task to trace the process by which the feudal theory here broke down in practice.

Let us then recur to our "fixed point," the article I have quoted from the Great Charter, and see what information we can gather from it. Firstly, we learn that the *commune concilium* still consisted in theory of

\* See the *Leges Henrici Primi*, viii. 1: "Sicut antiqua fuerat institutione formatum." *et seq.*

the body of tenants-in-chief; secondly, that attendance had come to be regarded no longer as a burden, but as a right; thirdly, that the Crown, in the issue of the writ, had discovered a means of withholding that right; fourthly, that a definite distinction had been arising between the greater and the lesser tenants-in-chief.

Now, there are few more difficult questions than the origin of the Writ of Summons. Dr. Stubbs has acutely pointed out that an incident in Becket's life affords evidence of the practice in his day. But there can be no question that it was of earlier origin. It is natural to suppose that for any special assembly (*i.e.*, apart from the three annual ones) special intimations would be addressed at least to the magnates, to secure their attendance. When a full attendance was specially required, as at the Council of Northampton, the king *solemnne statuens celebrare consilium, omnes qui de rege tenebant in capite mandari fecit*.\* Attendance being for the lesser tenants (*barones minores*) at any rate a burthen, it would, no doubt, be practically confined to those who, in each case, received the summons. So far, however, the summons was, by no means, a privilege to be valued. But when, on the one hand, the assembly grew in power, after the Norman period, and, on the other, the misgovernment of John made it eager to exercise that power, all this would be changed. It was no longer the object of the Barons to avoid, and of the Crown to enforce, attendance. The contrary, in fact, was now the case, and this being so, the writ of summons suddenly assumed a very real importance.

This, I would suggest, is the turning-point in the process, and, consequently, a matter to be clearly grasped. From being little more than an incidental form, the writ, under these changed circumstances, would become itself the one essential. Now that the *duty* had become the *right* of attendance, the Crown would naturally take advantage of the fact that the assemblies had in practice, as I have

\* Grimm, *Vita S. Thomæ*, p. 39. The great importance of this passage lies in its identification of the whole body of tenants-in-chief with the "*episcopi, comites, barones totius regni*," of whom R. de Diceto (c. 536) independently tells us this Council (A.D. 1164) was composed.

above suggested, been only attended by those who had received the writ of summons. Practice and theory, in that practical age, were so conveniently and so persistently confused that it would be an easy step from this to the doctrine that, without a writ of summons, no *baro* could attend.\* Writing, as I am, at a distance from libraries, I cannot tell if this point has been insisted upon as its great importance deserves. I am under the impression that it has not. We have evidence, I contend, in the Great Charter, that the Crown had been endeavouring to use the writ as a means of excluding its opponents from the assembly. This would imply that the writ was already recognized as a necessary condition of attendance. The Crown, then, had succeeded in so far introducing "the thin end of the wedge." But as yet, it was "the thin end" only. The *barones*, while admitting that they could not attend unless summoned, insisted that they all must be summoned. That this view is the correct one, we surely gather from the remarkable passage in Mathew Paris, where we read that, some ten years after the Charter the *barones*, assembled at Westminster, refused to give their answer to the royal demands:—

*Quod omnes tunc temporis non fuerunt, juxta tenorem Magnæ Cartæ, vocati; et ideo sine paribus suis tunc absentibus, nullum voluerunt tunc responsum dare, vel auxilium concedere vel prestare.*

In the royalist reaction after the death of John, the Crown, this implies, must have revived its attempt to employ the issue of the

\* Mr. Freeman rightly perceived the importance of the Writ of Summons as a factor in the development of the House of Lords. He writes:—"At least from the Norman conquest onwards, our kings took to summoning particular men to the Assemblies, sometimes in great numbers, sometimes in small. Now it is a universal law that, when a practice of summons comes in, it gradually comes to act as the shutting out of those who are not summoned" (*The Nature and Origin of the House of Lords*, p. 11). But (1) he is inconsistent with himself as to the date when summons came in; (2) he fails to grasp the all-important distinction between the time when attendance was a privilege, and the time when it was a hardship; (3) he is absorbed in his fancies about the "freeman," and so fails to confine himself to the tenants-in-chief, who have alone to be considered; (4) he contends (for present party purposes) that "among the barons, too, he [the king] had a very free choice" (*Id.* p. 12), thus missing the point.

writ for the exclusion of troublesome opponents. And that such was the case we actually learn from the significant omission of "the fourteenth Article" in the subsequent re-issues of the Great Charter. Passing now over forty years, we come to the famous parliament convoked by Simon de Montfort. This I claim as a most important link in the chain of development. By a characteristic stroke the skilful earl seized upon the writ of summons as a means of excluding, in the name of the Crown, all but his own partisans. This was, of course, an extreme case, and presents a striking parallel to those autocratic measures in which the "freedom" of Cromwell surpassed the tyranny of the Stuarts. It proved, however, the growing tendency to admit the control of the Crown over the summons, and so marked a further stage in the transition from tenure.

It is difficult to pronounce confidently on so wide and intricate a question, but it would seem that the eventual success of the Crown in establishing its control over the writ, must have been due, on the one hand, to its own caution in not venturing to exclude magnates of importance; and, on the other, to the steady growth of a counter-balancing principle in the doctrine that a man once summoned must be summoned always, and, indeed, as it was ultimately held, his heirs also. This amounted to a virtual compromise, by which the Crown established its control over the original issue of the writ, at the cost of surrendering it for all subsequent issues. When we add to this the oligarchical spirit that characterised the *barones majores*, and that made them readily, so long as their own writs were safe, acquiesce in the disappearance of the lesser tenants, we shall find it easy to understand how the Crown acquired what I may term its right of exclusion among the "barons by tenure," that is, the tenants-in-chief.

But one cannot fully comprehend the breakdown of tenure, without glancing at the fate of the *barones minores*, or lesser tenants-in-chief. They were, as I have said, from the first the weak point in the system. The feudal theory made the least of the *barones* the equal (or "peer") of the greatest, on the ground of their common relation to their lord. This unnatural equality could

not work in practice. The distinction between the "greater" and the lesser *barones* that we meet with in the Great Charter must have established itself very early. A lamentable amount of erudition has been expended on this really simple distinction. What constituted a *baronia major*—whether size, or privileges, or character of tenure—has been long and keenly discussed. It has been hoped thus to ascertain the meaning of a *baro major*. A moment's thought should show us that *baronia* was derived from *baro*, not *baro* from *baronia*. Consequently, a *baronia* can have originally meant neither more nor less than the holding of a *baro*. To hold *per baroniam* was, in the first instance, neither more nor less than to hold *ut baro*—as a tenant-in-chief. When, therefore, we read of the *barones majores* or *minores*, we have a right to ask, why should these expressions mean anything else than what they do mean, viz., the "greater" and "lesser" tenants-in-chief? When we speak of "rich and poor," we do not torture ourselves to ascertain where the division should be drawn, nor do we look upon these terms as technical. And so, taking the words *majores* and *minores* as they stand, we see that, for practical purposes, the line would draw itself. Hence when attendance had become a privilege to the magnates, it would still, for the reasons I have given, be valueless, or even a hardship, to the lesser *barones*, who would gladly dispense with the special summons. Thus we see, in the Great Charter, that while the assembly was still, in theory, co-extensive with the tenants-in-chief, the "general summons" was covering the fact that the "lesser" tenants were already dropping out. The whole process can be better traced in Scotland, where it took place much later. In England, as is well known, the "general summons" to the lesser tenants was addressed to them through the sheriffs. This brought them into fatal contact with the old shire-organization. By that strong organization they were inevitably attracted, to be merged politically, in due course, in the general *corpus* of under-tenants and freeholders. So it was that the "knights of the shire," by becoming identified with the Old English Shire Organization, were severed from those "greater barons," henceforth the

"barons" *par excellence*, who duly and easily developed into our House of Lords.

By this definite and striking rupture, tenure, and with it the feudal polity, received a deadly blow. In the ideal system, land was everything, its owner and his blood nothing. Henceforth, tenure having broken down, the writ of summons leaps into prominence, because there is nothing else to take its place.

The final stage in this development, from the territorial to the personal, was reached when the Crown to its power of exclusion added that of inclusion; that is to say, when in addition to omitting some of those who were tenants-in-chief, it could venture to summon to the assembly some of those who were not. By this the initiative of the Crown became so absolute, that had it not been—*pace* Mr. Freeman—for the counterbalancing influence of the doctrine of the hereditary right to the writ, the House—and this appears to me a striking thought—might have sunk into a mere formal gathering of the nominees and creatures of the sovereign.

To Mr. Freeman the doctrine of "ennobled blood" is notoriously a "silly superstition." Nay, rather an abomination. Rejecting "the accidental hereditary element," he assures us that

It must always be borne in mind that it is the personal summons to Parliament which is the essence of peerage. . . . This is what has made the English peerage so utterly different from any continental nobility. Nobility, so far as it can be said to exist in England at all, is attached to the possession of an hereditary seat in Parliament, and to nothing else. It is the writ of summons to Parliament which is held to "ennoble the blood," whatever that means. For as every one knows, there is in England no nobility in the sense which the word bears in other lands.\*

But now that the right to attendance is no longer derived from tenure, it is difficult to say what it can be derived from, if not from "blood." Those who now hold "Baronies by Writ," hold them because they are the heirs in blood of the party first summoned. True, as Mr. Freeman urges, that "with us the children of the peer are commoners." But why is this? Precisely because the House is *feudal* in origin, as its "peers" and "barons" still witness, and, consequently,

\* *The Nature and Origin of the House of Lords*, p. 16.



the feudal principle of primogeniture, the identification of the fief with its actual tenant alone, still dominates our peerage.

We have, then, in our House of Lords, an assembly of feudal derivation, springing from a court of vassals, which has been changed by the force of circumstances, into an hereditary peerage, still modified by the feudal principle; still reminding us, by the evidence of its nomenclature, of its origin in the Norman Conquest; and still retaining down to our own days representatives of the tenure element, whatever modern historians may say, in the non-hereditary — bishops.\*

On the other hand, in the House of Commons, we have the resultant of the representative system in the Anglo-Saxon local courts, the summary and ultimate development of Teutonic government from below.

J. H. ROUND.



## A Family Story of the Sixteenth Century.

BY THE REV. B. HALE WORTHAM.

**I**N the year 1535 died Sir George Hervey, a Bedfordshire knight who had gained great credit in the French wars. He appears to have been possessed of considerable property—manors, lands, and tenements in the counties of Huntingdon, Bedford, Buckingham, Hertford, and Oxford. His chief seat, however, was Thurley in Bedfordshire, where his ancestors had lived since the days of Edward I., when John Hervey married Joan, daughter and heiress to John Harman, of Thurley. Six generations lived and died, when, in the reign of Henry VIII., the family of Hervey was represented by the Sir George, whom we have already alluded to, and Thomas Hervey, his younger brother.

\* "Archiepiscopi, episcopi, et universæ personæ regni, qui de rege tenent 'in capite,' habent possessiones suas de domino rege sicut baroniam, . . . et sicut barones ceteri debent interesse judiciis curiæ domini regis cum baronibus," etc., etc.—*Constitutions of Clarendon*, Cap. xi.

Thomas Hervey appears to have done pretty well for himself, as he married Jane Drury, the heiress of Ickworth, and became the progenitor of that branch of the family whose head is the Marquess of Bristol. George Hervey, the elder brother, also married an heiress—Elizabeth, daughter and heir to one John Stamford; but probably this match was far inferior to the other in point of possessions, although Elizabeth Stamford was the representative of several families of position in Bedfordshire and the neighbouring counties. Sir George Hervey had two children, a son apparently called Nicholas, whose name does not occur in any contemporary visitations, and a daughter whose name was Elizabeth, and who was twenty-four years of age in 1527. Elizabeth married Sir Edward Wanton, a member of a very ancient family in the eastern counties, and which, in the person of Valentine Wanton, of Great Staughton, in Huntingdonshire, afterwards provided one of the judges who sat on the trial of King Charles I.

But to go back to Sir George Hervey and his wife and daughter, on whom the whole story turns.

Sir George Hervey, in addition to the son and daughter who have been already noticed, had an illegitimate son by one Margaret, the wife of William Smart, who is styled Gerard Hervey. This Margaret seems to have been Sir George Hervey's cousin. In 1535 Sir George Hervey died, and it was then found that he had by his will bequeathed the whole of his possessions to this Gerard, and had entirely excluded his other two children, Nicholas, and Elizabeth, the wife of Sir Edward Wanton.

What took place then is not very evident; but it would seem that George Wanton, in right of his mother Elizabeth, laid claim to the property of Sir George Hervey, and that Gerard Hervey took proceedings in Chancery against him, to compel the execution of the late Sir George's will. Various interrogatories on the part of Gerard Hervey were put in against George Wanton, and witnesses were examined. It is quite clear that the side opposed to Gerard Hervey considered the will had been made by Sir George under the undue influence of Margaret Smart. To understand and appreciate the answers of the

witnesses, it is necessary to glance at the questions.

The substance of them was as follows :

First, whether Sir Walter Fitzhugh, and Thomas Colbeke, were the legal advisers with whose help Sir George Hervey made his will in favour of his son Gerard. Whether the handwriting were Colbeke's, and the interlining (or interlined words) were in the hand of Sir Walter Luke. Whether the seal were Sir George Hervey's seal. Whether Sir George Hervey suffered a recovery of his lands or not. By whose hand was the deed written giving possession of the land, and by whose hand was it endorsed. Whether the will in question were ever revoked. In whose favour was the will revoked.

Such is generally the tenor of the interrogatories put on the part of Gerard Hervey.

To answer them five witnesses are brought forward: four of them knights in the same position and rank of life as Sir George Hervey himself, the fifth a yeoman living on the estate at Thurley, who had been in Sir George Hervey's service.

Now, the reason alleged for the disinheriting of Nicholas and Elizabeth, the son and daughter of Sir George Hervey, was this: that they were not his children. Whether he had openly said so in his lifetime is not evident; probably, however, he mentioned his doubts to only a few intimate friends. Had Elizabeth and Nicholas been openly disowned, and clearly proved not to have been Sir George Hervey's issue in his lifetime, it seems unlikely that they would have attempted to make good their position after his death. Gerard Hervey, on the other hand, was not only illegitimate, but he was Sir George Hervey's son by somebody else's wife. About this there was no doubt. It was evident, then, that Sir George Hervey had preferred to leave his estates, which were considerable, to his illegitimate son, rather than to a son or a daughter who, as he asserted, were his wife's children, but not his.

However, the friends of Sir George Hervey, whom Gerard summoned as witnesses in his favour, may now be brought forward to speak for themselves.

First we have Edmond Bray, Knight, Lord Bray of Eaton, who states

that he knew not that the said Sir George did make and declare his last will by the persuasion of Margaret Smart; . . . he only knew that the said Sir George Hervey, about four or five days before his death, as he was riding homeward from London, came to the place of this deponent, called Eyton in Bedfordshire, and continued there one night, and anon after his coming thither, the said Sir George broke his mind to this deponent in this wise and effect following: "Mr. Bray, may I trust you to be my faithfull friend in such thing as I shall put you in trust and desire you to do for me?" To whom this deponent answered that he would do the best that lay in him to do, and then the said Sir George showed this deponent that he had been at London, and that he had made a recovery of his lands, and other assurance, as strong as his counsel could devise, to the intent that the said Gerard Hervey, whom he named then his bastard son, should have and enjoy the same after his decease, and desired this deponent that he, the said Gerard Hervey, should and might have the good will and helpe of this deponent whensoever it should chance the said Sir George to die.

Sir William Parr, of Horton, Northamptonshire, is the next witness, and an executor to the will in question. Probably he was rather more intimate with Sir George Hervey than the former witness, for, after stating something very similar to the foregoing, he proceeds to say that

when he perceived that the said Sir George was minded to give away his inheritance from one Elizabeth, the wife of Edward Wanton, which was supposed to be the daughter and heir of the said Sir George, this deponent persuaded and laboured the said Sir George, before the marriage of the said Elizabeth, to be good to the said Elizabeth; and as this deponent and the said Sir George had familiar communication thereof, the said Sir George declared to this deponent that the said Elizabeth was not the daughter of the said Sir George, . . . and utterly refused to leave any of his inheritance unto the said Elizabeth, but was always minded and determined at all times that this deponent had communication with him therein that the said Gerard should have his said inheritance, and for further declaration of the mind of the said Sir George in this behalf, this deponent sayeth that 10 or 12 days, or thereabout, before the death of the said Sir George, this deponent was oftsoone in hand again with the said Sir George that he should be good unto Nich. Harvey; to whom the said Sir George answering this deponent, showed him of a displeasure that was grown between him and the said Nicholas, and said that he had given him a dash with a pen, and that he should never have groat of him; and that he was present when the late Abbess of Elstowe, Aunt unto the said Sir George, instanted and moved the said Sir George to be good unto the said Elizabeth, whereunto the said Sir George utterly refused to do her any manner of good, saying that she was not his daughter; . . . and this deponent sayeth that he knoweth not whether the said Sir George declared his said last will by the persuasion of Margaret Smart.

Sir John Dyve, of Bromham, Bedfordshire, witnesses to nearly the same effect as the foregoing. He also speaks of "the displeasure that was grown" between Sir George and Nicholas his son, for which, "as he said, he had stricken him out of his will." He appears also to have been the confidant of Sir George Hervey's opinion as to the illegitimacy of Elizabeth, his reputed daughter.

Sir Robert Lee, of Quarrington, Buckinghamshire, goes further than any of the former witnesses, and after stating that Sir George Hervey had showed him that Nicholas and Elizabeth were not his children, volunteered the statement that

by diverse likelihood that he hath heard and conceived therein, he thinketh in his conscience that the mother of the said Elizabeth was very light of her conversation.

He is, like the former witnesses, unable to say what influence Margaret Smart had or had not used with regard to the will.

The last witness questioned is William Barr, of Thurley, in the county of Beds, yeoman. He asserts that he was servant to Sir George Hervey, and was brought up with him fourteen years before his death. He seems to have been on specially intimate terms with Sir George Hervey, and to have been informed by him as to the exact way in which Sir George meant to dispose of his property. He asserts that Sir George Hervey took him apart as he was riding to a place called Attilburgh, and that he said, "I have given unto my cousin, Margaret Smart, my rent going out of Fleetmarston and Blackgrove, which is in value by year £10 6s. 8d., during her life, and after her death the remainder thereof shall go to Gerard her son, which Gerard I have made my heir of all my lands and tenements which are in the counties of Huntingdon, Bedford, Buckingham, Hertford, and Oxford," . . . showing at that time to this deponent of a displeasure that was grown between him and Nich. Hervey for which he had stricken out the said Nicholas.

Such are the testimonies of all the five witnesses, all, with whatever differences, agreeing in the main point, that Sir George Hervey had clearly intended by his last will and testament to make Gerard Hervey his heir, to the exclusion of Nicholas and Elizabeth.

In accordance with the will, and with the testimony of those who were best qualified to pronounce upon Sir George Hervey's intentions, the Court of Chancery decided that Gerard

Hervey was entitled to succeed to the estates specified. At the same time, no opinion is pronounced upon the legitimacy or otherwise of Nicholas and Elizabeth. To decide such a point as this, far stronger evidence would have been needful. Sir George doubtless had the legal right to dispose of his property as he would, though by so doing he might be acting unjustly; but the mere expression of his opinion, still less repeated second-hand after his death, would not be sufficient to pronounce those to be illegitimate whom he had apparently never openly pronounced illegitimate in his lifetime. As a matter of fact, the legitimacy of Nicholas and Elizabeth never was disputed; and in the College of Arms may be seen the armorial bearings of Hervey, quartered by the descendants of Elizabeth, the daughter and heir of Sir George Hervey.



### A Further Note on the Legend of the Chapman of Swaffham.\*

By WILLIAM E. A. AXON, M.R.S.L.



PROFESSOR E. B. COWELL read a paper before the Cambridge Antiquarian Society in 1875 on the legend of the Chapman of Swaffham, which is printed in the third volume of the *Communications*. In this interesting paper Professor Cowell has shown that the legend of the poor man enriched by a dream has become localized at Swaffham in Norfolk, at Dort in Holland, and is also to be found in the Persian poem called the *Masnawi*, written by Jalauddin, who died about A.D. 1260. "It is evidently," as Professor Cowell observes, "an old legend, located by popular fancy in several widely different parts, just like that of Whittington and his cat, and it has only become connected with Swaffham as an

\* This brief note, written in 1880, was intended for the Cambridge Antiquarian Society, but after leaving the writer's hands was, owing to accident, not brought before their meeting until last May. The attention of readers of THE ANTIQUARY having been called to the subject by the article in vol. x., p. 202, the note is put before them without alteration.

attempt to explain the forgotten mystery of the figure of the Chapman and his pack in the parish church." The popularity of the legend is evidenced by its insertion into that very popular folk-book the *New Help to Discourse*, which was often printed between 1619 and 1696. In this occurs the following question and answer:—

Q. Who was it, according to report, that built the Church of Sopham in Norfolk?

A. Tradition tells us that in former times there lived in that town a certain pedlar, who dreamed if he came up to London, and stood on the bridge there, he should hear very joyful news, which he at first slighted; but afterwards, his dream being doubled and trebled unto him, he resolved to try the issue of it, and accordingly to London he came, and stood on the bridge there for two or three days, but heard nothing which might give him comfort, that the profits of his journey would be equal to his pains. At last, it so happened that a shopkeeper there hard by, having noted his fruitless standing, seeing that he neither sold any wares nor asked an alms, went to him, and demanded his business; to which the pedlar made answer, "That being a countryman, he dreamed a dream that if he came up to London he should hear good news." "And art thou," said the shopkeeper, "such a fool to take a journey on such a foolish errand? Why, I tell thee, last night I dreamed that I was at Sopham in Norfolk, a place utterly unknown to me, where, methought, behind a pedlar-house in a certain orchard, and under a great oak tree, if I digged there I should find a mighty mass of treasure. Now, think you that I am so unwise to take so long a journey upon me, only by the instigation of a foolish dream? No, no, far be such folly from me; therefore, honest countryman, I shall advise thee to make haste home again, and not to spend thy precious time in the expectations of the event of an idle dream." The pedlar, who noted well his words, and knowing all the things he had said to concentrate in himself, glad of such joyful news, went speedily home and digged under the oak, where he found an infinite mass of money, with part of which (the church happening to fall down) he very sumptuously re-edified the same, having his statue therein to this day, cut out in stone, with his pack at his back and his dog at his heels; his memory being preserved by the same form or picture in most of the glass windows in taverns and ale-houses in that town to this day.

The legend has also been current in Lancashire, and in Cornwall.

The *Saturday Review* of December 28th, 1878, contains an amusing article on dreams, in which the following remarks occur:—

To confess the truth, our thoughts have been turned into this channel by a dream we have lately met with, in faded manuscript, whose interest lies a good deal in the teller and the scene in which it was told. Recalling the saying quoted by distinguished authority,

that in the days of Whately and his noted compeers the Common Room of Oriel "stank of logic," it is pleasant to find that those high-strung spirits did sometimes unbend, and that the atmosphere was occasionally freshened by topics within the scope and interest of meaner intelligences. The story is headed "A Dream told by Mr. Whately in Oriel Common Room." If it has ever found its way into print, we can only say we never saw it there, though there is a family likeness in all dreams that deal with hidden treasure. A cobbler in Somersetshire dreamt that a person told him that if he would go to London Bridge he would meet with something to his advantage. He dreamt the same the next night, and again the night after. He then determined to go to London Bridge, and walked thither accordingly. When arrived there, he walked about the whole of the first day without anything occurring; the next day was passed in a similar manner. He resumed his place the third day, and walked about till evening, when, giving it up as hopeless, he determined to leave London and return home. At this moment a stranger came up and said to him: "I have seen you for the last three days walking up and down this bridge; may I ask if you are waiting for anyone?" The answer was "No." "Then what is your object in staying here?" The cobbler then frankly told his reason for being there, and the dream that had visited him three successive nights. The stranger then advised him to go home again to his work, and no more pay any attention to dreams. "I myself," he said, "had about six months ago a dream. I dreamt three nights together that, if I would go into Somersetshire, in an orchard, under an apple tree, I should find a pot of gold; but I paid no attention to my dream, and have remained quietly at my business." It immediately occurred to the cobbler that the stranger described his own orchard and his own apple tree. He immediately returned home, dug under the apple tree, and found a pot of gold. After this increase of fortune he was enabled to send his son to school, where the boy learnt Latin. When he came home for the holidays, he one day examined the pot which had contained the gold, on which was some writing. He said, "Father, I can show you what I have learnt at school is of some use." He then translated the Latin inscription on the pot thus: "Look under, and you will find better." They did look under, and a larger quantity of gold was found. As the story is a good one, it would be pleasant to fancy it could possibly be true.

It would be a very hard task to reconcile the truth and edification of this quaint narrative, which at least from the thirteenth to the nineteenth centuries has amused divers and diverse generations of men.





## Celebrated Birthplaces.

WALTER SAVAGE LANDOR AT WARWICK.

**I**N the best house in Warwick, "facing to the street, but overshadowed at the back by old chestnuts and elms," and standing just without the east gate of the pleasant, old-fashioned town, Walter Savage Landor first drew breath on the 30th of January, 1775.

It is a handsome red-brick house with stone facings, dormer windows, and a sufficiently imposing doorway of the style dear to lovers of the so-called "Queen Anne Architecture." When the writer visited it in September last year it was occupied as a "High School" for girls.

This was Landor's home during the first twenty years of his long, stormy, and chequered career.

It is obviously most difficult to give in a few lines any adequate idea of the life of a man who lived through nearly ninety years of such social upheavals, such rapid stirring changes, as took place between 1775 and 1864.\*

Yet, by the aid of the biography of his friend John Forster, the numerous contemporary references to Landor,† and other

\* Years that witnessed the revolt of the American colonies, the fall of the Bastille, and all the horrors of the "Reign of Terror," the careers of Napoleon I., of Paoli, and of Garibaldi; years that saw Cowper and Burns, Keats, Wordsworth, Byron and Shelley, Scott and Southey, Gibbon and Macaulay, Burke and Pitt and Fox, Peel and Russell, enter, play their parts, and make their exits on the human stage.

† See, for example, Lord Houghton's just and appreciative estimate of him in his *Monographs*. Of his mental power Emerson has written, "He has a wonderful brain, despotic, violent, inexhaustible"; and Carlyle has "etched" him (Landor) in a couple

sources, it is easy to get a general impression of the character of the man who, according to a modern critic, "was furious in defence of his opinions, and who had none," and to see that his nature, "with all its blemishes, was large, generous, and lovable."

Is it not, too, an instructive history, this of Landor's? It shows that genius, wealth, and rich gifts of mental and bodily vigour, even when combined, as they were in his case, are totally insufficient to ensure happiness when unaccompanied by submission to law, the law of self-restraint. His knowledge and learning were great, but he never acquired the most necessary and best knowledge of all—to know himself.

It was unfortunate for this passionate, combative, self-assertive man that in his early years self-control was not necessarily forced upon a temperament which, as one who knew him well justly says, "had peculiar need of it." To this grave defect all his troubles mainly, if not

entirely of his own making, may be attributed.

We are all familiar with the wise French judge who in commencing a case invariably said, "Cherchez la femme." And in seeking to penetrate the secret of a man's character it is always well to inquire what his parents were like.

Landor's father was a wealthy physician of good family; he married twice; his first alliance was with the daughter and heiress of Mr. Wright, of Warwick; his second was with Elizabeth Savage, who brought him the estates of Tachbrooke and Ipsley Court,\* in

of lines, thus, "The gigantesque, explosive, but essentially chivalrous and almost heroic man."

\* Writing from Florence in 1830 to his sister, Walter Landor thus describes Ipsley:—"Never was any habitation more thoroughly odious; red soil, mince-pie woods, and black and greasy needle-makers." Of



LANDOR'S BIRTHPLACE, WARWICK.

Warwickshire, and of Hughenden (the latter since celebrated in another connection) in Buckinghamshire.

Dr. Landor seems to have had many estimable qualities of head and heart, combined with an excessive warmth of temper.

The poet's mother, judging from her letters, was a model of good sense and affection; but it would appear probable from an anecdote told of her by her son, Mr. Robert Landor, that she had a certain warmth of temperament also.

The story illustrates the reckless, impetuous speech of Walter so well that one may hope to be excused for quoting it.

The occasion was once when Landor was sitting in his mother's room with his godfather, General Powell ("a cheerful, good-humoured old soldier," and afterwards Lieut.-Governor of Gibraltar), and gave utterance to a wish that "the French would invade England and assist in hanging George III. between two such thieves as the Archbishops of Canterbury and York." On hearing this "pious wish, Mrs. Landor immediately rose from her seat and boxed Walter's ears from behind."

This daring license of speech was always characteristic of Landor, and recalls his remark to Southey, that he was accused of giving the following as a toast at Oxford:—"May there be only two classes of people, the republican, and the paralytic."

Landor's faults, indeed, lay on the surface, and his violent opinions were notorious; thus, when there was talk of getting a commission in the Warwick Militia for him, the officers unanimously protested that if he got it they would resign theirs. And it is well known that the University of Oxford requested the favour of his withdrawal, as a consequence of his having fired a pistol across his college quadrangle at prayer-time, through the window of a fellow-student. It is true that the victim of this exploit was a Conservative, and that the weather was warm, and that Landor had invited a party to wine, also that "the Duke of Leeds," as the victim was nicknamed, was unpopular; yet one need not be surprised that Landor's rustication followed.

Tachbrooke, on the other hand, he often spoke with pleasure, and once he says:—"It is the only locality for which I feel any affection."

Space forbids us to dwell upon the varied incidents of Landor's history—his quarrel with his father, his service in the Spanish army, his succession to the family estates and what he did with them, his hasty marriage with Julia Thuillier,\* whom writing to Southey in April, 1811, he describes as "a girl without a sixpence, and with very few accomplishments," and of whom he says to his mother a few days later, "She has no pretensions of any kind, and *her want of fortune was the very thing that determined me to marry her.*" There is one feature in his life, however, which is closely bound up with it for thirty years, and is in itself so interesting that it must not be passed by wholly without notice—we mean his friendship with Southey. Landor had troops of friends—Coleridge, Wordsworth, Lamb, Forster, Emerson, Dickens, and many others, but with none the same sympathy and intercourse as with the author of the "Curse of Kehama." It was at Bristol Southey first met "the man of all others whom I was desirous of meeting," he writes to a friend, adding, "I never saw anyone more unlike myself in every prominent character, nor any one who so cordially and instinctively agreed with me on so many of the most important subjects." And this feeling of admiration and affection was fully returned, as witness the words that Landor addressed to him when the Laureate's light of reason was fast fading away—"If any man living is ardent in his wishes for your welfare, I am; whose few and worthless merits your generous heart has always over-valued, and whose infinite and great faults it has been too ready to overlook."

But we must hasten on to the close of Landor's life; this, too, was pathetic, but in a different way. That he carried with him into old age the same ungovernable rages, the same turbulence and utter unreasonableness which make us feel something akin to exasperation in spite of our admiration for the gifts and good qualities of the man, is

\* She was the daughter of a banker at Banbury, says Forster, whom ill success had taken to other employment in Spain, while his family found a home at Bath. She is described as "having more curls than any other girl in Bath," and Landor calls her "pretty, peaceful, and good-tempered." The marriage ended unhappily, as we all know.

but too true. The episode of his last days in England is, in many respects, the most painful of all. Yet it is with pity that we see him forced to fly from the land of his birth, wandering about the streets of Florence homeless and penniless. 'Twas in the "City of Flowers" that Robert Browning found and befriended him, and from here the authoress of "Aurora Leigh" writes to a friend, "If you could only see how well he looks in his curly white beard."\*

Here, too, he found kind American friends, and not long before his death Swinburne visited "the old lion" (as he loved to be called), and paid his tribute of homage, and bade Florence, in the beautiful lines "In Memory of Walter Savage Landor,"

Keep safe his dedicated dust,  
His sacred sleep.


The last scene of his literary life was calm and very touching. On the morning of the 1st of May, 1864, he rang and insisted on having his room lighted, and his windows thrown open. He asked for pen and paper and the date of the day. Being told, he wrote a few lines of verse, and leaning back, said, "I shall never write again, put out the lights and draw the curtains."

And then darkness and oblivion slowly flung their mantle over him, and September saw him laid in the English burying-ground. Let us take leave of him in the words of Algernon Swinburne—

. . . . Time and strife  
And the world's lot  
Move thee no more,  
. . . . royal and released  
Soul as thou art.

J. J. FOSTER.

## Threatened Destruction of York Churches.

HEN a body of clergy and lay-folk, appointed by the Archbishop of York to consider the needs of the Church of England in that city, has come to the conclusion that it would be well to disuse, or to remove, eight of its six-and-

\* Those curious to know what Landor was like in personal appearance will find at Kensington his portrait painted by Fisher for John Kenyon, and bequeathed by Crabb Robinson to the National Portrait Gallery.

twenty churches—*pour encourager les autres*—surely all who love the links that unite the present with the past will be startled by a thrill of painful apprehension, and many a traveller, who has dreamed awhile in the streets of yet fair Ebor, will burn to lay to his hand, to stay her threatened doom. Quaint, narrow "gates," church-set at every coign,—who can bear to think that a spirit of destruction, charged with the archiepiscopal blessing, and bearing the specious name of Improvement, may shortly be let loose upon you? No doubt the York livings cannot be numbered among prizes ecclesiastical; no doubt parochial boundaries might run on more scientific lines; no doubt the churches are unequally distributed over the area of a city which has just extended its limits; but one would have supposed that the exercise of a spirit and power of liberality, not yet extinct among Churchmen, might cope with these not unprecedented evils, and that, at all events, such a remedy as that proposed by the counsellors of the Primate of England would not be so much as named among them. There is indeed strong need to revive Etty's exhortations to his fellow-citizens—

Beware how you destroy your antiquities! Guard them with religious care! They are what give you a decided character and superiority over other provincial cities. You have lost much: take care of what remains.

"Lost much"—alas! yes. What the tooth of Time would take many years to destroy, the busy hand of man carries off in the course of weeks. What is a church, or a bit of one, in a place where there are many, if a lane be too narrow, a corn-market too small, or a congregation be diminished by reason of the inefficiency of its parson, or the greater attraction offered at some meeting-house hard by? It has been observed that York men are chiefly enthusiastic about the preservation of antiquities that are not in their own parish. A church beyond its bounds is one that no one, with a soul not dead to all sense of beauty, would think of giving over to decay, if he were in any sort connected with it; but when their own parochial fane threatens to yield to stress of centuries, and they are asked to contribute to its support, they are perhaps found to be conscientious Nonconformists, or they protect

their pockets by what they are pleased to call common sense, arguing that the wants of parson and people would be best supplied by transference of the services of that church to some other, with amalgamation of the benefices; and they gain favour in their ward and generation, by allowing that it would be well if the consecrated site were forthwith dedicated to street-widening, and to other secular purposes. If there be one thing more than another that York sighs after, it is for wide straight streets, intersecting each other at right angles. If only Castlegate could get the curl out of it; or if picturesque Coney Street bore more resemblance to Oxford-street, W., or were even like the inspiring parallelogram where the market is held! Then, to take liberties with Mr. Gilbert,

Then all the world might say,  
Anent the spacious way,  
If this old York is so very much like New York  
beyond the sea,  
Why, what a strangely commonplace place this  
same old York must be.

Heredity, we may remark, is plainly, in some degree, responsible for the disposition referred to. If you look for the chancel of that goodly church, All Saints, Pavement, *circumspice*. It was out of repair at the latter end of last century, and was generously handed over by prudent parishioners to the public, in order that it might give place to market wares. For the sake of getting a grand approach to the new Ouse Bridge, and to gain elbow-room for Spurriergate, S. Michael's, thereby, was most ruthlessly pared about seventy years ago. Still later, outlay was checked, and traffic facilitated, or a "vista" secured, by many an act of vandalism; Trinity and the Minster Gateways were carted away; S. Peter's prison was laid low, and three of the fine old Bars were shorn of their barbicans. Although Etty viewed with sympathy the horror wrought in Lastingham church, in honour of the immortal Jackson, R.A., he was keenly alive to the irremediable follies—crimes—committed at York in the name of Taste.

I deeply regret (he records) the system of destruction going on, and confess I can hardly keep my temper when on some new bore being about to be perpetrated, some new pulling down commenced,

people appeal to me and say, "Don't you think we are improving York very much?" While one stone remains on another of old York, I shall love her. But when such awful slices are carved out of her I feel as Churchill said he felt, when he had to alter his poems, "It is like cutting away my own flesh."

Let us now see how contemporary wise men of York, full of zeal for the Church of their fathers, would fain deal with its *parochialia*. They suggest a re-adjustment of boundaries; they advise, in six cases, the union of two parishes and the respective benefices; and, which mainly concerns us at present, they recommend the disuse of certain churches, "with a view (if that be thought expedient) of subsequent removal." They consider that the material for such edifices "should be used as far as possible in the erection of the suggested new churches or mission chapels, or in the enlargement or repair of other churches." They would have due respect paid to the monuments and the remains of the dead, and they look forward to selling consecrated sites; and to increasing clerical incomes, and meeting other needs of the Church with the proceeds.

The churches deemed superfluous in their present positions are three under the invocation of the Holy Trinity, S. Mary Bishop-hill Junior, S. John Micklegate, S. Michael, S. Helen and S. Crux—or S. Crooks, as Yorkers render this rather uncommon form of the dedication. Two at least of these buildings contain exemplary pieces of architecture, known throughout the civilized world to all who make a study of the master-art of mediæval times: no one of them is without some feature of interest. William the Conqueror must have seen the tower of the younger S. Mary standing pretty much as we see it now; and even in his days it was probably no new thing. With its baluster windows, touches of long-and-short work, and patches of herring-bone masonry, it is one of our few remaining specimens of what is known as the Saxon style. Pieces of stone which bear traces of Eboracum still do duty in the structure. Not so very far away a fragment of the glory of a great Benedictine house clings to the tower of Holy Trinity (Micklegate), and gives pleasure to the passer-by whose eye detects it as he goes through Priory Street. The Archbishop of



York assured his counsellors that he would be "disposed to encourage the earnest and constant efforts of dissenters." The removal of Holy Trinity and S. Mary's will be even more encouragement than the most sanguine of them can have hoped for. S. Helen's—last survivor of four churches called by a name especially suggestive in a city which has claim to be the birthplace of Constantine—rejoices in a beautiful little lantern tower, inserted in rather an unusual manner in the west front. It is the subject of the illustrative wood-cut in Parker's *Concise Glossary*. S. Michael and S. John preserve some of that fine old glass which is one of the archaeological specialities of York; the latter church, like the former, has suffered truncation in the cause of traffic, but with its curious timbered tower is still a picturesque object in a part where there is too much that is ugly. Holy Trinity King's Court was entirely rebuilt about twenty years ago (some old features being incorporated): love and money have preserved and "restored" all the other churches we have particularly mentioned.

The condition of S. Crux is eminently critical: a few years ago it was pronounced to be structurally unsafe, and the stipulation being made, that a slice off each end should be devoted to spoiling the quaint narrow entrance to the Shambles, and, to making Colliergate something more like a street in a town of yesterday than it has yet contrived to be, a fund was started to pay for the desiderated restoration. On the strength of this, the necessary undoing of what was unstable began, and now, when York has lost sight of the finest Perpendicular clerestory she possessed, and a corner dear to artist eyes is the site of a manufactured ruin, the proposal is made that S. Crux be disused or removed.

Certain it is that no such havoc has been contemplated in York since the days when men were yet in the delirium of the Reformation fever. At the present time (March 5th) citizens seem on the whole inclined to smile upon the project, but surely there must be some good men and true who will rise up to oppose the passing of the Act of Parliament which can alone make possible the horrors that we deprecate. It was nonconformist influence that preserved the Minster from an internal "vista," and it may be that

Gentile earnestness is necessary to preserve the eight churches on which a peculiar people set so little store. If such a monstrous Bill should ever be introduced into Parliament, we are glad to say that it will be opposed by all the influence of the Society of Antiquaries.



## Reviews.

*The Ancient Coptic Churches of Egypt.* By ALFRED J. BUTLER, M.A., F.S.A. (Oxford, 1885: Clarendon Press.) 8vo, 2 vols.

**T**HE ancient monuments of Egypt, so wonderful for their grandeur and their venerable age, have had so strong a fascination for antiquaries that the comparatively modern works of Christian times have, till lately, had but little notice taken of them. Yet there are amongst them many which were old before what we in these western lands look on as our ancient buildings came into being.

No systematic account of the Egyptian church has been published before this one, though the subject has been touched on more than once. Some years ago an excellent paper was read on it by Mr. J. H. Middleton to the Society of Antiquaries, and this is now in print; but the stately deliberation of the movements of that dignified society has not yet allowed of its being made public, and so Mr. Butler, who acknowledges much help from Mr. Middleton, has forestalled most of its matter.

Mr. Butler tells us that the aim of his book is "to make a systematic beginning on the great subject of the Christian antiquities of Egypt," and he has undertaken it from the feeling that the work wanted doing, and no one else offered to do it. He says candidly that he was not specially fitted for the task by an earlier study of architecture, ritual, and ecclesiology. In this respect he differs not much from some other book writers on kindred subjects, but all have not the honesty to say so. And, whatever claim he may have had to the title of "ecclesiologist" when he began his book, none will refuse it to him now that it is finished. He has done the task he set himself excellently well, and his "beginning" is not likely to be superseded for a long time to come,—at least so far as concerns those places which he visited himself, and of which he speaks on his own authority. We wish we might hope that he would soon do for the churches of the Delta and of Upper Egypt what he has here done for those of Old Cairo and the Natrun Valley. Of some of the more important he does give such information as can be collected from Curzon and other writers, but none of them knew much of Christian antiquities, and Mr. Butler, without having visited the buildings, is able to correct some of their mistakes. It is much to be wished that all were properly surveyed before it is too late. They have many enemies. Some are abandoned and in ruin, and the rest may any day fall victims to Moslem fanaticism, now more dangerous than it has been for centuries. That soulless creature,

the curiosity hunter, is prowling amongst them, and although, as we are glad to learn from Mr. Butler, the poor Copts are not easily tempted to part with their treasures, some spoil is, we know, squeezed out of them. And even the foul fiend of "restoration" has found his way there, and already begun his deadly work.

It is impossible, within the narrow compass of a review, to give any idea of the manifold interest of Mr. Butler's book. It treats of the churches themselves, their fittings and ornaments, and the services performed in them, and of a good deal besides; in short, of the whole Egyptian *ecclesiology* in the widest meaning of the word. It is well illustrated, and is particularly rich in plans, without which even the best verbal descriptions of buildings are of comparatively little use. Even a sketch plan is better than none, and we are glad that Mr. Butler has given such, where circumstances did not allow him to prepare fully detailed plans, as he has done in some cases. We should have liked also some sections and interior views of the churches; but it is ungracious to grumble, and the plans alone are a welcome gift. Mr. Middleton's paper, to which we referred above, will supply sections of one of the most important churches, that of *Abu Sargah* in old Cairo, to those who obtain the part of *Archæologia* in which it will appear.

The first of the two volumes under notice is taken up with the description of buildings, chiefly churches, but including the remarkable old Roman fortress of Babylon, of which a plan is given. It is now a Christian *Dair*, and contains many churches. We have too an account of a Coptic nunnery, which Mr. Butler may be said to have discovered. The descriptions are clear and good; and when the author, in passing, mentions any experience of his travels, it is to the point. There is no taint of the small beer chronicle in the book.

The second volume contains descriptions of the furniture and ornaments of the churches, the ritual of the services, and the vessels and vestments used in them, and, in short, a detailed and sympathetic account of the present state of the Egyptian church. To a comparative ecclesiologist this is the most interesting part of the book, and the interest of it has tempted the author aside into disquisitions on the analogies between this and other churches, which by occasional slips betray the novelty of his study of the subject. But this takes nothing off the value of his own work, and for what came within his own observation he is, and is likely to remain, the best authority. In one matter we venture to differ from him, namely, his translation of *poterion* as *dalmatic*. It should certainly be *albe*. The *albe* is one of the primitive vestments, and is used in all ancient churches, and the *dalmatic* is comparatively modern. The fact that the Egyptian *albe* is ornamented differently from others does not conceal the historical identity of the vestment. On the other hand, Mr. Butler is certainly right in correcting those who have said that the Copts use the cope as an eucharistic vestment. The chasuble is also one of the primitive and universal vestments, and it is represented by the Coptic *phelonion*, as indeed the name shows. The modification of form by which at last it has come to bear some resemblance to the western cope is the result of very gradual change,

made with the object of lessening the very cumbersome primitive vestment. Other nations have made changes for the same reason; and in Iceland may be seen chasubles with the whole front cut away below the breast, which are not far different from the Coptic.

We must now take leave of this very interesting book, which we advise our readers to study for themselves.

*Cowdray: The History of a Great English House.*

By MRS. CHARLES ROUNDELL. With illustrations from drawings in the British Museum from sketches by the late Anthony Salvin, Esq., F.S.A. (London, 1884: Bickers & Son,) 4to, pp. xiii, 178.

The history of a great English house is sure to be a welcome addition to our libraries if it is executed with care and taste; and we can in this instance affirm that Mrs. Roundell has exercised those qualities, if not thoroughly, at all events sufficiently so to earn our gratitude. The house was begun by the Earl of Southampton, and completed by Sir Anthony Browne, his half-brother. The Countess of Shrewsbury was imprisoned here. Queen Elizabeth visited here in 1591. The successive owners were men who served England, or became famous in various ways; and from the household regulations of one of them, the second Viscount Montacute, we learn some curious particulars of the social condition of our nobility in the seventeenth century. But the family seemed pursued by a terrible fate. All the misfortunes which the superstitious of these early days could invent seemed centred in the owners of Cowdray. The seventh viscount left an only son, who, when he was twenty-four, tried, with his friend Mr. Burdett, to shoot the falls of the Rhine at Laufenburg. It is said that he rushed upon his doom by tearing himself from the arms of the faithful servant who tried to hold him back. Almost at the same time as this terrible calamity happened, Cowdray House, with its magnificent pictures and associations, was burned to the ground, and the title and family shortly afterwards became extinct. The story is a thrilling and interesting one, and Sussex people, and all lovers of family history, owe a debt of gratitude to Mrs. Roundell for the volume which enables them to learn all this. The illustrations are excellent.

*The Genealogist* (New Series), vol. i. (Bell & Sons: 1884.)

We have much pleasure in drawing attention to the new series of this well-known magazine. Already the recognized organ of genealogical students, it promises to attain an even higher standard under the able management of its new editor, Mr. Walford D. Selby, of H.M.'s Record Office. We notice with pleasure his intention to "pay especial attention to the wide field of research offered by the Public Records," which, as he truly observes, "remain a realm of mystery even to the majority of those who should be most interested in the matter." We welcome, as an instalment of what may be expected, Mr. Vincent's painstaking and scholarly continuation

of the invaluable *Calendarium Genealogicum*. The special feature, however, of the New Series is the presentation as a supplement, with each issue, of 32 pp. of the *New Peerage*, edited by "G. E. C." This important and laborious undertaking is no less than an elaborate alphabetical synopsis of the entire peerage, extinct and extant, of the three kingdoms.

Among the contributors to the present volume we note the names of Mr. Metcalfe, F.S.A., Mr. Greenstreet, Mr. Leveson-Gower, F.S.A., Mr. Hubert Hall, Dr. Marshall, Mr. Bird, F.S.A., Mr. Lindsay ("Portcullis"), Mr. Round, and the Rev. T. P. Wadley. We are glad to observe, in the index, the much-needed improvement of the Christian names being added. To a magazine of this character such addition is more especially needful, witness the horrors of Ayscough's index to the old *Gentleman's Magazine*, so forcibly insisted on by Mr. Wheatley in his excellent *What is an Index?*

*The Lincolnshire Survey: temp. Henry I.* Edited by JAMES GREENSTREET. (Privately printed.)  
*Survey of Lindsey in the Reign of Henry I.* By E. CHESTER WATERS. (Lincoln: Williamson.) Pp. 65.

These two publications have opportunely appeared almost at the same time. They both deal with a MS. survey of Lindsey, preserved in the Cottonian MSS. (*Claudius*, c. 5), remarkable for its early date, and valuable as a connecting link between Domesday and later surveys.

Thanks to Mr. Greenstreet's praiseworthy enterprise, students will now have before them an absolute facsimile of this unique record, and an important example of early caligraphy. The fidelity of the reproduction is very striking, and the whole forms a most handsome work.

Mr. Waters, while severely criticising Hearne for his inaccurate edition of the MS., has nevertheless, strangely enough, adopted Hearne's text as the basis for his translation and collation with Domesday. This, however, we only learn from comparing his treatise with Mr. Greenstreet's autotypes, which convict him of many errors and omissions. He tells us that the MS. "is in good condition, and remarkably legible considering its great antiquity." We are, therefore, at a loss to account for his inaccuracies,—except on the supposition that he has never seen the original.

The value, however, of Mr. Waters' work consists in his observations on the date of the Roll, which he fixes, apparently on good ground, at 1114–16, while Mr. Greenstreet, erroneously it would seem, assigns it to 1101–1109. The careful collation of the Roll with Domesday is also a useful feature of Mr. Waters' monograph.

*History of England under Henry IV.* Vol. i. By JAMES HAMILTON WYLIE. (London, 1884: Longmans & Co.) 8vo, pp. xvi, 486.

The special feature of this history is that, taking up a period which has been little dealt with, and which is full of incident and interest, Mr. Wylie never loses sight of the *dramatis persona* of his subject. The movement of events is traced by the actions of the

various actors therein: men and men's wives and personal surroundings hold the thread of the narrative in their hands, and the consequence is that, throughout the book, the dry records of history have an intensely dramatic interest, which is unusual. Unlike Hume's style, which is reflective and philosophical; Mr. Freeman's, which is passionate and argumentative; Dr. Stubbs', which is almost entirely devoid of dramatic illustration; Mr. Green's, which abounds in eventful and imposing scenes, without ever depending upon the personages engaged therein,—Mr. Wylie's style of narrative is mainly dependent upon the characters, action, and passions of the people who made English history during the reign of the first of the House of Lancaster. There are faults in Mr. Wylie's style which, in our opinion, are derogatory to the dignity of historical writings,—faults indicating too easy-going a style,—but these can be very well forgiven where the main foundation is so good.

The House of Lancaster was not a blessing to the nation, though we venture to assert that it was better than its successor of York. The first two Henries were men of considerable ability, political and military, and it is brought out by Mr. Wylie very forcibly, that much in Henry IV.'s character was, apart from his seizure of the crown, on the whole to be admired. The death of Richard II., traditionally related in three different versions, is placed to his charge; and Mr. Wylie has brought some very curious evidence to prove that it took place at Pontefract, at the time of the rebellion of the Earls of Huntingdon and Kent. But against this charge must be set Henry's forgiveness of rebellious and factious nobles, and his lenient treatment of Richard's followers. Richard's death was necessary to any stable form of government, and England was never more in need of it than at this period. Scotland and Wales on her own borders, Spain and France on the Continent, were continually bringing about troubles, and Richard's extravagance and bad rule had been very injurious. He was condemned by the nation as an unjust ruler, and though this does not justify his secret murder, it would have justified the strongest judgment against him had he lived in times when kings were brought to the bar of the judicial tribunal.

Henry IV., besides possessing unquestionable political and military talents, was also a man of culture. "He was," says Mr. Wylie, "fond of the society of literary men. One of his biographers says that he spent much of his day in solving knotty problems in moral philosophy, and the few original letters that we have of his show some scholarship and acquaintance with the learning of the time. He invited the French poetess and historian, Christine de Pisan, to his court. He had the friendship of Gower (to whom he granted two pipes of wine annually), then a blind, old man; and one of the first acts of his reign, four days after his recognition by the parliament, was to grant an annuity to old Geoffrey Chaucer, who was closing his days weighed down with debt and embarrassment; while, a few days later, the poet Thomas Hoccleve, who was then one of the younger clerks in the office of the Privy Seal, received £10 per annum for life." All this speaks well for Henry, but it must not be forgotten that he was the first English monarch who signed an order

for the monstrous practice of burning heretics. Reason and intelligence were beginning to show themselves at this time against the practices of the Church; but the age could not recognize either. Throughout all the various events of this reign, so far as this first volume extends, Mr. Wylie takes his readers with increasing interest, and while recognizing in this volume a connecting link with our other English historical writings, we shall look forward to the second volume with special pleasure.



## Meetings of Antiquarian Societies.

### METROPOLITAN.

**Society of Antiquaries.**—Feb. 5th.—Mr. Freshfield, V.-P., in the chair.—Mr. Hope exhibited a cast of the seal of the Corporation of Lyme Regis, the device being a ship with a crucifix on one end and St. Michael on the other. The date of the original seal was about 1280.—Mr. Blair exhibited a photograph of a Roman sepulchral stone found at South Shields.—Mr. Godwin exhibited a genealogical roll of the kings of England as far as Henry IV.—Major Cooper Cooper exhibited two ancient clocks.

Feb. 12th.—Dr. E. Freshfield, V.-P., in the chair.—The Rev. R. C. Jenkins communicated some particulars about a recent discovery of Saxon remains at Syminge, Kent.—Mr. T. F. Kirby exhibited, by permission of the Mayor and Corporation of Winchester, some of the recently discovered charters of that city.

Feb. 19th.—Dr. J. Evans, V.-P., in the chair.—The Chairman exhibited a complete set of twelve roundels or fruit trenchers of the year 1625 in their original case. Six of them bore the name of Roger Simpson and six of Mary Simpson. The inscription on the box recorded that they were the gift—presumably the wedding gift—of Thomas Martin, Vicar of Stone in Oxney, Kent. Through this clue Mr. Evans was able to identify the actual parties to whom the trenchers were thus given.—Prof. Ferguson exhibited two volumes which had been procured by him from the sales of the Hamilton and Syston Park libraries respectively. The former was a copy of a work by Albertus Magnus, *De Secretis Mulierum*. The latter, which the colophon showed to have been one of the products of the printing press of Machlinia, was also a work of Albertus Magnus, *scilicet, De Secretis Naturæ, or the Liber Aggregationis*. This book bore the autograph of William Herbert, the editor of Ames.

Feb. 26th.—Dr. E. Freshfield, V.-P., in the chair.—By permission of the Governors of St. John's House, Sherborne, Dorset, a very interesting triptych was exhibited which formerly served as an altar-piece in the chapel of the hospital.

**British Archæological Association.**—Feb. 3rd.—Mr. S. Tucker in the chair.—Mr. C. Brent exhibited two Assyrian seals in very good preservation.—Prebendary Scarth reported the discovery of the base of a pedestal at Park Farm, Torkington, with some frag-

ments of tessellated pavements of Roman date. Mr. E. Way described a large find of Roman pottery and glass at St. Saviour's, Southwark, among which was the head of a remarkably large amphora.—Mr. E. Walford exhibited a book of MS. prayers of the fifteenth century in German.—Mr. C. Lynam described two plaster casts of portions of the runic cross at St. Michael's, Isle of Man, worked in slate.—The first paper was by Mr. J. W. Grover, "On the Registers of Old Clapham Parish." These are fairly complete from 1551, except that those from 1691 to 1701 are missing. A portion of a paper was then read by the Rev. G. F. Browne, on the remarkable cross now preserved in Leeds Church, found during the rebuilding.

Feb. 18th.—Mr. T. Morgan in the chair.—Mr. L. Brock reported the existence of a large portion of old London wall, visible in the street of the same name at Moorgate, just to the west of Allhallows Church.—Prebendary Scarth exhibited a drawing of a Roman pocket sundial found at Herculaneum.—Mr. Howlett exhibited a fine lamp with Christian symbols found in the Roman catacombs.—A paper "On the Roman Baths of Bath" was then read by the Chairman.

**Archæological Institute.**—Feb. 5th.—The President in the chair.—Admiral Tremlett communicated a paper "On the Pierres à Bassins, or Rock Basins," of which many instances occur in Brittany. He pointed out that so far from being Druidical rock altars with basins to catch the blood, the hollows were merely the places whence querns had been extracted.—Mr. S. Clarke read some interesting "Notes on the Screen in Sandridge Church, Herts."

**Philological.**—Feb. 6th.—Rev. Prof. Skeat, President, in the chair.—Mr. H. Sweet read a paper "On Old English Contributions."

Feb. 20th.—Rev. Prof. Skeat, President, in the chair.—The Hon. W. Stokes read a paper on old Irish declensions.

**Numismatics.**—Feb. 19th.—Dr. J. Evans, President, in the chair.—Dr. Wright exhibited a silver stater of Azbaal, King of Citium, in Cyprus, *circa* B.C. 410-387.—Mr. Copp exhibited a gold octadrachm of Arsinoë, the wife of Ptolemy Philadelphus, in very fine preservation.—Mr. T. Bliss exhibited a British gold coin said to have been found in Bedfordshire, and a British silver coin attributed to the Iceni, also two silver coins of Constantius II., lately found in an earthen vase under the foundations of Sion College, London Wall.—Mr. H. Montagu exhibited a very rare shilling and sixpence of George III., struck in 1786, of which only three specimens are known.—Mr. Evans exhibited a *mbeau de présence* of the Dyers' Company, having on one side three woolpacks and on the other a large D.—The Rev. Canon Greenwell communicated a paper on some rare or unedited Greek coins in his own and other collections.—Mr. B. V. Head read a paper, by Dr. A. Smith, "On Nummi Pelliculati, or Plated Groats of David II. and Robert II. of Scotland."

**New Shakspeare.**—Feb. 13th.—Mr. F. J. Furnivall in the chair.—Miss G. Latham read a paper "On the Dramatic Meaning of the Construction of Shakspeare's Verse, with Special Reference to the Use of the Run-on Line and Extra Syllable."

**Royal Society of Literature.**—Feb. 25th.—Dr. W. Knighton in the chair.—Mr. R. B. Holt read a



paper "On Lucifer as represented in the *Festus* of Mr. Bailey," which he illustrated by copious extracts from this poem.

**Asiatic.**—Feb. 16th.—Sir W. Muir in the chair.—Mr. Walhouse read a paper, communicated by the Rev. T. Foulkes, of Coimbatore, "On the Pallavas."

**Anthropological Institute.**—Feb. 10th.—Mr. F. Galton, President, in the chair.—Mr. H. H. Johnston read a paper "On the People of Eastern Equatorial Africa."

Feb. 24th.—Mr. F. Galton, President, in the chair.—A paper "On the Race-Types of the Jews," by Dr. A. Neubauer, was read. The opinion that the Jewish race have kept their blood unmixed is based chiefly on the fact that a Jew is almost at once recognized among thousands of others. From the earliest times, however, we find evidence of intermixture.

**Society of Biblical Archaeology.**—March 3rd.—Dr. S. Birch, President, in the chair.—The following communications were read: "On the Inscription of the Destruction of Mankind in the Tomb of Ramases III.," by M. E. Naville,—"Notes on the Martyrdom of the Coptic Martyr Isaac of Tiphre," by Mr. E. A. W. Budge,—and "The Weasel and the Cat in Ancient Times," by the Rev. Dr. Placzek, translated by the Rev. A. Löwy.

**Society of Architects.**—Mr. W. Leonard Grant in the chair.—A paper on the Architectural History of Reculver Church, illustrated by numerous plans, detailed drawings, water-colour sketches, engravings, and photographs, was given by Mr. Francis Grayling. The church was situate in the centre of a Roman inclosure, surrounded by massive walls, now scarcely raised above the surrounding land. It was the monastery-church of a community of monks suppressed before the Conquest, and was also a parish church. He exhibited a ground plan of the church, tinted to show the work of the Roman, Norman, and Early English periods, and claimed that this was the first accurate plan of the church that had been published. The first church consisted of a broad and short nave, divided from narrow north and south aisles by four oblong piers, north and south porches, and an apsidal chancel. The whole of this portion of the building was paved with very hard Roman cement. On either side of the opening into the chancel was a circular column, having good base and deep abacus and cap of three members. The pair of columns was of oolite stone, quite different from any other used in the church, and was, he hoped to prove by the drawings and photographs, Roman in proportions and appearance. This church was rebuilt in the Norman period, and in the thirteenth century was reconstructed and extended to the east and west, a new square-ended chancel being thrown out, the aisles lengthened eastwards, and a wide west front, having north and south towers capped by spires, covered with herringbone lead work, erected. All the windows were lancets. The sea defences of sandstone were removed and sold about 1804, causing the sea to encroach to within fifteen feet of the north tower of the church. The Trinity Board bought the church, and, having fenced it in, repaired the towers, erecting upon them the curious basket-work open spires so conspicuous from the entrance to the Thames, and had since maintained them.

## PROVINCIAL.

**Cambridge Antiquarian Society.**—Feb. 9th.—Mr. J. W. Clark, M.A. (President), in the chair.—Mr. H. F. Wilson read a short paper upon an Inscription in Ashwell Church, Hertfordshire, relating to the Black Death.—Mr. Pell exhibited the following objects dug up in or near Wilburton. 1. A specimen of gold ring-money weighing just the weight of three half-sovereigns, found last year on the border of Wilburton-Fen on the top of the fen-earth. 2. A very good stag's horn and the base of its fellow, found with bones and teeth on the top of a bank of coprolites and gravel (under five feet of fen-earth) in Streatham Parish, driven into the bank. Close to the remains of the stag were some six or seven stakes, one of which Mr. Pell produced. They have been sharpened at the end. The stakes were not long enough to have penetrated the peat even in its present state, though shrunk to at least one-third of its former depth. 3. A horn, probably of a *bos primogenius*, which was found in Wilburton gravel-pit hill on the top of a celtic urn of the usual kind. Inside the urn were a few nuts and some teeth, very small, though of an adult. 4. A silver spoon dug up at the Rectory Orchard at Wilburton; the letter on it gives the date of either 1570 odd or 1620 odd. At that time Sir Miles Sandys, Bart., one of the chief Undertakers for draining the fens, lived at the Rectory, and his son the next Sir Miles after him. The family of Sandys left Wilburton about 1660; so most likely the spoon belonged to one of them. Mr. Pell commented upon the Domesday *hide*, *carucata*, *virgata*, etc., and remarked that, apart from casual but distinct statements to be found in old manuscripts, that a hide contained 120 acres in the counties to which those MSS. refer; it must be remembered that no entry in other MSS. can be produced stating the hide to be any other quantity elsewhere. Moreover as Domesday was a minute survey for the purpose of the taxation of all land producing profit, it is only natural to suppose that all the terms made use of in it must have been of a kind so sure, that when a portion of the survey was sent from the spot where it was made to head-quarters it would carry on the face of it the information required, without the need of calling in a local interpreter to explain it. Land that lay in common, when fallow, paid nothing; so it seems that a hide was 120 acres of land producing profit in some shape. As the unit of assessment was the hide, there is no more reason to suppose that it varied in extent, or contained an uncertain number of acres, than to say that the pound of an Income-Tax Schedule might as an unit of assessment contain 240 pence in one county and 120 in another. When the land was, some centuries before Domesday Book, parcelled out between *lords* and *men*, the area given to the men was subdivided among them according to ploughs, and the area covered by one plough was further subdivided into *virgates* (probably the origin of the *familia* or hide-lands of Bede), one virgate going to one man, and each virgate often having in addition some *pratun*, *silva*, or *pastura*. These virgates, varying so much, as they naturally would, according to the quality of the soil and other considerations, have been the stumbling-block of antiquaries. They, having supposed them to be the quarters of the hide,

have multiplied them by four, and called the result a hide. But they were no such things; they contained not only the idle shift, but they were *virgates*, or some definite proportion of the *terra ad carucam*, not of the whole manor, but of the *homines*. Thirty acres was always the quarter of the Domesday *hide* of sown or profitable land, but *virgates* were some definite proportion of the *terra ad carucam* sown and fallow of the *homines*, plus such a portion of *pratun*, *silva*, or *pastura* as was allotted to it long before Domesday Book in its original setting out—a transaction apparently so deliberate as to indicate the sudden acquisition of the land, and a consequent parcelling out of it into *virgates* among a body of men. This view is strengthened by the fact that all the land that was afterwards essarted seems as a rule never to have been *virgated*, but to have been separate holdings, as appears by the MSS. Moreover it appears that, though the land was parcelled out among the lord and his men, very often half to each, it was not necessarily all broken up at once on allotment, though it was *virgated*. For instance, Cottenham Common existed as such to our own day, but it was *hidated* and *virgated* at the time of Domesday Book and the Hundred Rolls, and the title of the present owners to their allotments is as good by succession or purchase as the title of any other owner of land in the country.

Feb. 23rd.—Mr. J. W. Clark, President, in the chair.—Professor Hughes laid before the Society the results of several excavations in the neighbourhood of Newmarket. First he called attention to a fine bronze leaf-shaped sword, the property of Mr. Tharp, of Chippenham Hall, who had kindly lent it to him for exhibition. It was found in a gravel-pit less than half a mile north-east of Chippenham Church, in the gravelly surface-soil which here lies to a considerable, but irregular, depth over the chalky gravel of the district. He then described an interment which had been discovered in cutting a drain in the park about 100 yards north-west of Chippenham Hall. In this five skeletons were found lying together, as if placed in one pit—the heads all to the north-east. No relics of any kind were found with them. In the earth Mr. Arthur Wright picked up a fragment of apparently Roman pottery, but there did not seem to be sufficient evidence to connect this with the interment. The skeletons appeared to be those of young persons of small stature. Prof. Hughes then described the contents of the tumulus known as Nine-Score Hill on the Newmarket Racecourse, which had been recently removed in order to level the ground. By the courtesy of Lord March he was enabled to exhibit the principal objects found. The mound rose gently from the level of the surrounding ground, having probably been reduced in height by agricultural and other operations, but the marginal interments show that it cannot have extended over a much smaller area than it now appears to have covered, say some fifty feet or so. The height of the centre was about three feet above the surrounding ground, but the graves were sunk some eighteen inches below that level. Near the centre of the tumulus were the fragments of two urns, both of British type. The larger was covered with a close ornamentation, consisting of alternate bands of horizontal lines and

interrupted oblique markings. The smaller was also ornamented all over with small oblique markings produced by some pointed instrument on the clay when soft. The larger urn was found with an adult skeleton, near which Mr. Gardner picked up three barbed and tanged flint arrow-heads. With the smaller urn were the jaw and some other portions of the skeleton of a child.—Professor E. C. Clark read a paper upon the inscribed stone from Brough-under-Stanemore, now in the Fitzwilliam Museum. After commenting on the importance of the document as a palæographic record Prof. Clark proceeded to state that this was an epitaph, in Greek hexameters, on a youth bearing the name of the god Hermes, and coming from the northern part of Syria, Commagene. The language was now a settled question, but the previous attempt of Professor Stephens, to read the inscription as Runic, should not be treated as extravagant, when it was remembered that Runic characters were, according to Dr. Taylor's authority, derived from the Greek.

Essex Archæological Society.—Feb. 14th.—Mr. G. A. Lowndes, President, in the chair.—Mr. Laver having made a report of the discovery of a Roman Villa at Alresford, which is probably extensive, a committee was appointed, the consent of the owner and occupier of the land being obtained, to superintend the exploration of the site, and authorized to expend, if necessary, an amount not exceeding £50 upon the work.—The annual general meeting of the Society was appointed to be held in Tendring Hundred on Tuesday, the 11th August.

Penzance Natural History and Antiquarian Society.—Feb. 20th.—The President (Rev. W. S. Lach-Szyrma) in the chair.—In the antiquarian department an important scheme for tabulating Cornish antiquities was read by the Rev. S. Rundle and discussed.—A paper on "Nicholas Cola the Man-fish" was read by the President, suggesting an explanation of certain mermaid legends with a consideration of the extraordinary folklore of Melusina of Lusignan, and its importance in connection with the descent of the Plantagenet Kings of England. The story of Nicholas Cola and the various folktale variants of it were considered to illustrate the formation of a certain class of mermaid myths of Cornwall and other counties.

Glasgow Architectural Association.—Feb. 1st.—The Vice-President in the chair.—A paper entitled, "A Sketch of the History and Characteristics of Stained Glass" was read by Mr. David Anderson. The development of the art was traced from the earliest Egyptian vessels down to the Jacobean and Queen Anne domestic work of England. In the progress of the paper the changing architectural styles were noticed as the cause of the different methods of composition followed in window designs, the various processes of manufacture described, and a criticism of the various schools of glass-staining submitted.

Philosophical Society of Glasgow.—Feb. 4th.—Dr. Henry Muirhead, President, in the chair.—Mr. T. L. Patterson delivered a lecture on Egyptian obelisks and their hieroglyphics, illustrated by photographs.—Principal Jamieson afterwards gave an account of the taking down and removal from Alexandria of the needle of Cleopatra now at New York.

## The Antiquary's Note-Book.

**Shrove Tuesday Football at Derby.**—On Shrove Tuesday last, under the auspices of the Derby Football Club, and with the patronage of the Mayor and Corporation of the borough, the old game of football which, up to forty years ago, used to be played by the townspeople on that day, was revived in a modernised form. The game used to take the form of a contest between two parishes—All Saints' and St. Peter's—the conflicting parties being strengthened by volunteers from other parishes and from the surrounding country. The combatants would assemble in the Market Place, where, at a given time, the Mayor would give the "kick-off," and the fray would begin. The ball was of a very large size, being 18 in. by 12 in. in size, and was made of leather, stuffed hard with shavings. Many are the exciting reminiscences the older inhabitants have to relate of the old game, which used to be conducted with great riot, and was on some occasions accompanied by bloodshed and even death. On conclusion of the day's sport, the man who had the honour of "goaling" the ball was the champion of the year; the bells of the victorious parish announced the conquest, and the victor was "chaired" through the town. But, like all other old customs, it was to have an end. On February 18th, 1846, the following advertisement appeared in the *Derby Mercury*:—"Football play on Shrove Tuesday and Wednesday. Borough of Derby.—The Town Council, and the principal part of the inhabitants of the Borough, having called upon the Mayor and Magistrates to put down the unlawful and riotous assemblage of persons on Shrove Tuesday and Ash Wednesday, for the purpose of playing at football, by which the public peace is broken, the peaceable inhabitants put in great fear, property destroyed, banking-houses and shops closed, and public business suspended:—Notice is hereby given, that the Mayor and Magistrates have found it imperative upon them to put an end to such an unlawful assembly, and the riot and confusion arising therefrom; and if any person or persons shall assemble within the Borough of Derby for this purpose, or shall collect or attempt to collect money for the support and carrying on of the same, such person or persons will be apprehended according to law. Dated this 17th day of February, 1846. W. Eaton Mousley, Mayor." The game was subsequently suppressed, although not without much difficulty. Sturdy patriots of the custom obstinately resented the steps taken to deprive them of their pleasure, and gave the police and the military, which used to be called in to assist, warm work occasionally.

**Parliament of Richard II.**—The Parliament of the 21st year of King Richard is described in a poem in Wright's *Political Songs* (vol. i.). When this Parliament was assembled, the "clerk" who addressed them on the part of the Crown "moved for money more than anything else," and the members of the House of Commons were told that they must meet again next morning and agree to the King's wants before meat. Nevertheless, some of them, for the sake of form, argued against it. We are servants, they said, and receive salaries, and are sent from the shires to represent their grievances, and to speak for their

profit, and pass no further, and we are not to give money away wrongly, but only in case of war; and if we are false to those who pay us our wages, we shall not be worthy to receive our hire. They did not all, however, speak in this manner. Some sat like a cypher in arithmetic, which makes a place but avails nothing. Some had supped with Simon the night before. Some were titulars, and gave private information to the King of such as were opposed to him. Some slumbered on the benches, and said little. Other "maffled with the mouth," but knew not what they meant. Some were bribed, and acted under the orders of those who had bought them; while others looked solemn, but seemed not to know why. Some were so fierce at the first start that they appeared to have pu on all sail to catch the wind, but they soon pulled down their sail when the storm set in. Some had been beforehand tampered with by the Council, and knew well enough how it would end, or some of the assembly should repent of it. Some held with the majority however it went; and others talked pertly, but they had more in view the coin which the King was to give them than the interest of their constituents, and were promised "handsell" of the silver which was to be given to the King. Some were in dread of dukes, and forsook "Do-well."—Wright's *Political Songs*, vol. i., p. xcvi.

**Payments to French Minstrels** (continued from ante, p. 35).—Acknowledgment from Boniface de Mores of 40 crowns from the same Godefroy. 1394. Acknowledgment from George, minstrel of the Duke of Orleans, of 50 francs.—Acknowledgment from Guborc (performer upon the "bombarde") and Tréboux (performer upon the "cornemuse"), minstrels of the king, of 40 gold crowns from the Duke of Orleans. 1395. Acknowledgment from Guiot de Roussay, "taster" of the Duke of Orleans, of 20 livres tournois, which he had been ordered to distribute amongst the minstrels of Monsieur de Savoie. 1396. Acknowledgment from Jaques de Savilliant and Chifc Dalemagne, minstrels of the Comte de Nevers, of 20 francs in gold from the Duke of Orleans.—Certificate of Jehan Gilet that Colinet Bourgeois, minstrel of the Duke of Orleans, had affirmed that the minstrels of Duke Robert of Bavaria had received 18 crowns in gold.—Order from Louis, Duke of Orleans, to pay an annual pension of 300 francs to George, his minstrel, Colinet le Bourgeois.—Order of Louis, Duke of Orleans, to pay an annual pension of 300 francs to his minstrel, Albelin.—Acknowledgment from Jehan Querguebe, minstrel to the Count Mareschal, in the names of himself and several other minstrels, of 20 francs from the Duke of Orleans.—Acknowledgment from Hennequin de Couloigne of 10 francs from the Duke of Orleans.—Acknowledgment of Jehan Lie-maut and others of 12 francs from the Duke of Orleans. 1398. Acknowledgment from Lorens du Hest of 32 sols de Paris for repairing the harp of the Duchess of Orleans.—Acknowledgment from Jehan de Roussay, chamberlain to the Duke of Orleans, of 22 crowns of gold which he had lent to be distributed amongst the minstrels of Monsieur de Bourbon.—Acknowledgment from Colinet Bourgeois, Arbelin, George and Henry Planzof, all minstrels of the Duke of Orleans, of 300 livres tournois on account of their pensions.—Certificate of Jehan de Taillefontaine that Ferry Fol,

Hainehem, and Haincolin have received 20 crowns of gold from the Duke of Orleans. 1399. Acknowledgment from Lorens du Hest of 36 sols de Paris for repairing the beautiful harp of the Duchess of Orleans. 1406. Order from the Duke of Orleans to pay 50 *livres tournois* each to Colinet Bourgeois and Arbelin, his minstrels, and Pierre Girart, his trumpeter, on account of their wages. 1409. Certificate from Pierre Lorfevre, formerly Chancellor to the late Duke of Orleans, that he has received the sum of 20 *livres 5 sols tournois* lent by him to the said Duke in the town of Asnières in April 1396, to be distributed amongst the minstrels. 1412. Order from Philippe d'Orleans, Comte de Vertus, to pay 11 *livres 5 sols tournois* to the heralds and minstrels of the King and of Mons. de Guienne; also receipt for the said money given by Guille de l'Abbaye, herald of the King, in his own name, and in those of the heralds his companions.



### Antiquarian News.

A discovery of much interest has just been made by workmen engaged in excavations in the lobby of the French Huguenot church in the crypt of Canterbury Cathedral. A finely chiselled head and fragments of stone, many of which are richly gilded, and in one of which a pearl remains, have been exhumed. They are undoubtedly portions of the shrine of St. Dunstan. It was at the time of the Reformation that the shrine is believed to have been damaged, and it is supposed that the pieces were subsequently collected as rubbish and thrown into the Black Prince's Chantry (the present site of the French church), where St. Dunstan himself is said to have been interred.

The old records of the county of Middlesex, preserved at the Sessions-house, Clerkenwell, had until about two years ago been packed away in a very inadequate space, and were generally in a condition which made any examination of them impossible. Application was recently made to the Historical Manuscript Commissioners, who directed Mr. Cordy Jeaffreson to inspect and to report upon the records. The documents have now been arranged, labelled, and indexed, and deposited in a newly-constructed muniment room, where the full extent and value of the collection can for the first time be seen. The records begin in the third year of Edward VI. The sessions rolls form a series covering successive years from 1552 complete, except as to a few in the earlier years. The sessions books, beginning in 1639, fill more than 1,700 volumes, and a series of land tax accounts of the various parishes occupy 7,000 books of various sizes. A series of orders of Court made at Quarter Sessions from 1716 onward, oath rolls, registers of papists' estates, convictions and appeals for holding conventicles, certificates of non-jurors, recusants, etc., hearth and stove tax accounts, orders of Council concerning the Great Plague, together with a number of documents of a miscellaneous character, complete a

collection of archives amounting to no fewer than 10,000 volumes, large and small, and nearly 5,000 rolls or bundles. In order to make this valuable collection generally available, by producing a descriptive calendar of the whole and publishing a selection from such as appear most worthy of notice, a society has been formed under the name of the Middlesex County Record Society, of which the Lord Lieutenant of Middlesex, Viscount Enfield, is the president.

Our readers will be interested to know that a considerable length (some 50 feet or more) of the Roman wall, London, has been uncovered as a preliminary to the foundation of Nineteenth Century-buildings. This is at the corner of Blomfield-street (Broker-row), on the site of the former Portuguese Jews' Synagogue, opposite to Winchester-street, and close to the church of All Hallows-by-the-Wall. The Roman construction is just as conspicuous as in the portion visible in Cripple-gate, only this is the outside of the wall, the City street being on a level with the top of it. The foundation is laid in large flints, then upon it is a course of rough, uncut Kentish rag, on which are two horizontal layers of tiles or bricks embedded in mortar, the tiles being about 1½ inch thick; above are about 2½ feet of rag-stone, up to the level of the present street now called London-wall.

Mr. Justice Hawkins arrived in Shrewsbury to open the assizes, and, according to ancient custom, accompanied by the High Sheriff, the Chaplain, the Mayor of Shrewsbury, the Under-sheriff and other officials, with a small number of the general public, attended Divine service in St. Chad's Church, where the assize sermon was preached by the chaplain.

A large geological collection has been presented to the Dean and Chapter of Canterbury by the Rev. J. H. S. Sparrow, of Willesborough, Kent, as a memorial of his brother, by whom it was made. It has been deposited in the cathedral library.

A discovery of Roman antiquities has been made at Donnington, about a mile from the town of Newbury. Some men were engaged in making excavations close to a newly-erected residence, when, at a depth of 8 feet, several Roman urns were found. The urns are now in the possession of Dr. Montague Palmer, curator to the Newbury Literary and Scientific Institute.

The Bishop of Worcester recently re-opened the church of the suburban parish of St. John, Worcester, after complete restoration and considerable extension. The older portions of the church consisted of twelfth century work, but the edifice as restored is largely fourteenth century.

A body of workmen have been engaged in demolishing a building which connects the Peterborough of to-day with the Peterborough of many centuries ago. The Holy Trinity Chapel—commonly known as Low Farm—will in the course of a few weeks have ceased to exist. The old farmhouse, with the barn and dovecote adjoining, are familiar objects to all, but their associations are not so well known. Bridges—writing in 1793—speaks of the Chapel of Holy Trinity as then existing. He says:—"Low, formerly a cell



to the Abbey and supplied by the monks, is now a farmhouse, in lease to Mrs. Balderson, from the Dean and Chapter. The chapel was dedicated to the Holy Trinity. It is now in ruins, but the walls, with a door and an ox-eyed arched window, yet remain. The stone window frames and doors of the house are very ancient. It was surrounded with a moat. The old river, which is a quarter of a mile eastward from the Minster and is the boundary of the county, was once a part of the Nyne, but is now only a fen dyke. The site of the building is upon the Roman bank, said to have been made probably about the year 100. On the west side, one of the original windows of the chapel remains. It is quite perfect, but is small and only a single light. In the same wall are remains of three other windows, but in an imperfect state. There is also a buttress, and a portion of a string course. On the north side there is an old chimney, built probably when the place was converted into a house, and there are also imperfect remains of windows. On the east side there are the remains of two windows and a buttress, and upon the plaster of an inside wall are some mural decorations, which, in consequence of exposure to the inclemency of the weather, are now incapable of being deciphered. Two medallions or crests can be distinguished within a garter. They are, however, comparatively modern, for the wall underneath is merely a division in the upper part of the house, and is built of bricks, the colouring being upon a plaster surface. A separate building stands to the east, which, with the dove-cote, appears to have been built of old material, including some of the stone windows and door frames. The whole was surrounded with a moat, evidences of which still remain. On the north the Caer-Dike formed part of the moat, and it still remains with water in it. The bridge over the moat was apparently on the west side.

Hammoon church has been restored. The church is a small edifice, having only a nave, chancel, and south porch. The chancel is a Decorated building without much character. The east window has three lights and engaged circular shafts, with moulded capitals on the corner face of the mullions. The pointed chancel arch is low and plain, with a chamfer towards the nave. The nave has Perpendicular details. There is a west window of three lights, a north priests' door, to the east of which is a Perpendicular bracket. Near the pulpit is an hour glass frame of iron. The roof is ceiled down into compartments by moulded timber ribs, the cornice and lower purline having a good embattled moulding. There are two bells in a wooden bell-cot over the west gable. Parish register commences 1656. Hammoon Church is believed to be one of the oldest in the county, and there was a hagioscope or "squint" near the leper's gate, as it has been termed, for those afflicted with leprosy to look through to the altar.

A discovery has been made at the Acropolis which is valuable for the history of Greek art. In the course of the excavations now being carried on around the Acropolis the foundations of the Propylæa have been laid bare. Among them have been discovered a number of sheds or verandahs built of tufa, which were evidently existing on the spot when the Propylæa

was being erected, about 430 B.C., and were built into the foundations. Some of them are in a state of perfect preservation and retain still quite fresh the paintings with which they were originally decorated. The colours employed were blue, red, and yellow.

Werrington church has been re-opened after restoration. The external appearance of the church is not promising. The plan is very simple, chancel and nave with aisles and south porch. There is no spire or tower; between the nave and chancel stands a bell-cot. The various parts of the edifice are of different dates. The oldest portion of the fabric now standing is doubtless the arch to the chancel, not the narrow one hardly more than six feet across, visible from the west, but a much larger one, with which this has been formed. The later arch is itself good Norman work; it has excellent capitals, with bold zig-zag recently picked out. The interior door of the porch, formerly the exterior door of the old church, is also of this date, the middle of the twelfth century. Fifty years later the old church was enlarged by building aisles. The arches in the nave are of this period. There are three bays. The north side of the church has suffered destruction at each end: at the west one bay of the aisle has gone and the arch is blocked up; at the east end a chantry, apparently coeval with the original church, has been destroyed. The arch that led from the chancel remains; it is Norman, and similar to the chancel arch. The whole of the chancel is Decorated. The east window is a good example of net tracery; it is of four lights, very like the east window of Peterborough Grammar School.

The excavations being made at Northgate, Winchester, have given up, after a repose of seventeen centuries, various relics of Imperial Rome. There are fragments of *stipula*, ornamental and domestic, in dark grey ware, and black also, horns of deer, and also some coins, one a large brass of Antoninus Pius, and a small silver coin of Hadrian. A third coin, of a later date apparently, has been too much rubbed in circulation to allow its legend to be deciphered. Amongst these ancient things was found a less recent object—a good fossil *echinus*. The excavations are just within the old Roman and later mural boundary, and close to the Northern Gate.

A fine bronze statue of Hercules, in a perfect state of preservation excepting a clean fracture across the legs, has been discovered in the course of the works connected with the building of a new theatre in the Via Nazionale, Rome, immediately adjoining the gardens of the Colonna Palace. It is, therefore, probable that it belonged either to the Baths of Constantine or to Hadrian's Temple of the Sun, which stood near each other at that corner of the Quirinal Hill. The statue measures upwards of six feet in height, and, considering how very few of the many bronze statues which ornamented the ancient city of Rome have been found, its recovery constitutes an artistic and archaeological event of the highest interest.

We are sorry to learn there is dry rot to an alarming extent in the wood floor of the Sherborne Abbey Church. The churchwardens have been under the flooring, and have seen for themselves the oak joists are in many places quite rotten, to such extent that large pieces can be pulled away by the hand, while in

other places there is fungus hanging quite a foot long. The mischief is spreading rapidly, and may be said to exist all over the church, but it is worst about the middle of the nave.

An important movement is now on foot for establishing a British School of Archaeology at Athens. The Greek Government has given a site near the city of the violet crown, and plans for the requisite buildings have been prepared by Mr. F. C. Penrose.

We are sorry to hear that the Hôtel Salé, a fine specimen of seventeenth-century work, at the corner of Rue de Thorigny, Paris, and until recently occupied by the Central School of Arts and Manufactures, is offered for sale, and runs some risk of being demolished. The site of this mansion formed a portion of the ancient *cultures*, or spade farms, of the Hospital St. Gervais, and was the last portion of the marshes of the Temple built over by Henry IV. The ground formerly belonged to the Convent of St. Anastasia, by whom it was sold, in 1656, to Aubert de Fontenay, a wealthy farmer of taxes, who built the present mansion. The arms of the founder may be seen in the balusters of the principal staircase.

St. Clement's Well, a very interesting relic of "Old London," was laid bare during the process of removing the rubbish from the western side of the Royal Courts of Justice. Clements-inn, whose history dates back as early as 1478, took its name from "St. Clement's Spring or Well." Under this name it had been known from time immemorial.

We are glad to be able to state that better counsels have prevailed in the matter of the Matravers tomb in the church at Lytchet Matravers (*ante*, p. 133). The material in which it had been imbedded has been removed, apparently with little damage to it, and the monument is again open to view. This has been the result of the pressure of public opinion and of the efforts made by the rector, the Rev. W. Mortimer Heath.

A most interesting discovery of the foundation of a small chapel has been made within the last month in a field about one and a half miles from Ludlow, on the right hand side of the Shrewsbury road. The field is on the Oakley Park estate, near Felton, and is locally known as the "Chapel Field." The present tenant called attention to the fact that in the course of cultivating this field, stones had been frequently turned up by the plough in one particular spot, and in consequence of this statement excavations were made which at once revealed, some two feet below the surface, a floor laid with ornamental tiles, such as were used in ecclesiastical buildings about the fourteenth century. On further investigation the entire foundation walls of the building were laid bare, which were 2 feet thick, forming an oblong building 19 feet 8 inches broad, by 27 feet 6 inches long. The east end is semicircular, forming an apse, the radius of which is 5 feet 8 inches, the wall here being 3 feet 10 inches thick; at the termination of the semicircle is the base of a circular pillar 2 feet 6 inches in diameter, which no doubt carried the arch which divided the nave from the apse. Several skeletons were found within the building, one of which measured the extraordinary length of 6 feet 6 inches, and one was found in what was probably the graveyard, lying on the west of the building.

## Correspondence.

### TRENCHARD FAMILY.

In Mr. Leathom's interesting article on the "Insecurity of English Coasts in the Past," which appeared in the February issue of *THE ANTIQUARY*, he states (p. 43) that "Wolveton was, and is, the seat of the Trenchards, an old Dorsetshire family."

It is true that this fine 15th-century house was the seat of the Trenchards, but of late years it has been occupied by Mr. Albert Bankes, a descendant of the family whose name is immortalized in Dorset annals by the heroic defence of Corfe Castle. Wolveton has obtained a niche in the history of England by its being the place where Philip the Fair, Archduke of Austria and King of Castile, with his consort, were entertained after their shipwreck at Weymouth, and where young John Russell was summoned to attend them, and to lay, as it proved, the foundation of the House of Bedford (*see ANTIQUARY*, August 1884). Aubrey has handed down a story in connection with Wolveton which may be worth mentioning. One of the chief features of the hall was a screen with carved effigies of the Kings of England, and "on the 3rd November, 1640, the day the Long Parliament began to sit, the sceptre fell from the figure of Charles I., while the family and a large company were at dinner in the parlour."

J. J. FOSTER.

### THE HAZLITTS OF IRELAND.

I should be excessively grateful to any Irish correspondent of *THE ANTIQUARY*, having access to parish registers and other documents connected with Antrim, who would afford me information respecting the parentage of John Hazlitt of Antrim, flax-factor, *temp.* George I., and his wife Margaret. This ancestor of mine subsequently migrated, it seems, to the south of Ireland, and settled at Shrone Hill or Shronell, co. Tipperary. His grandson was my grandfather, William Hazlitt the critic and essayist. I wish to have any, and all possible, particulars touching John Hazlitt's descent and connexions.

W. CAREW HAZLITT.

Barnes Common, Surrey, April, 1885.

### THE CURTAIN THEATRE.

(xi. 90.)

The origin of the name of this theatre is one of considerable interest. Both the explanations which have been given are clearly wrong, although the one which associates the name with the curtain of the stage has been very widely accepted. It appears from the Rolls of Parliament 27 Eliz., that the piece of ground upon which the theatre was built was named "The Curten." (*See Halliwell-Phillipps's Outlines of the Life of Shakespeare*, 1883, p. 416.) I think there can be little doubt that we have here a well-known term in fortification. We know that in many places there were outposts from the Old London Wall, and probably the field retained the name of some old rampart or enclosed yard. The

little entry out of Curtain-road, now known as Gloucester-street, but called in 1745 "Curtain-Court," marks the site of the Curtain Theatre. It is interesting to notice that the back of the present Standard Theatre is only a short distance from the classic ground where the first London theatres were built.

HENRY B. WHEATLEY.

### CELEBRATED BIRTHPLACES (LOCKE).

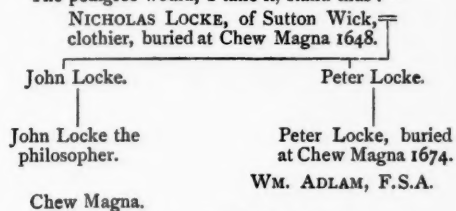
[*Ante*, p. 57.]

In your interesting account of John Locke and his birthplace you mention (in a footnote) that the grandfather of the philosopher was John Locke, who purchased an estate at Pilston, East Brent. But it appears in the *Life of John Locke* that Nicholas Locke was his grandfather. This Nicholas Locke is described as a clothier, living at Sutton Wick, in the parish of Chew Magna, in the churchyard of which parish he was buried, "under a goodly tomb, opposite the belfry door." This goodly tomb no longer exists, but in 1855 a small carved head-stone was exhumed, and has been re-erected by the present vicar, the Rev. J. Galbraith. It bears the following inscription:—

1674  
HERE LIEH HE BODY  
OF PETER LOCK OF  
HIS PARISH WHO  
DEPARTED HIS WO . . .  
IN GOOD

The register of burials, under the date of 1674, contains the following entry:—"Peter ye Son of Peter Locke."

The pedigree would, I take it, stand thus:—



### ARCHERY.

[*Ante*, p. 101.]

Mr. Price, in his interesting sketch of "Archery," does not allude, among the attempts to revive it, to the very curious proposal, in the time of Charles I., to combine the pike with the bow and arrow, as the equipment of a "double-armed man." A full account of it will be found (if I remember right) in Grose's *Military Antiquities*, where certain advantages are claimed for the bow and arrow over the musquet.

I do not observe, in Mr. Price's paper, a recognition of the really important fact in the history of English archery, namely that, as Mr. Freeman, it would seem rightly, contends, we practically owe to the Normans its use as a national weapon. It would be interesting to know if this was so. Mr. Price tells

us that "in the Bayeux tapestry the Saxon archers of Harold's army are depicted as exchanging shots with their Norman antagonists." But I can only remember one English archer in the tapestry. Does the cross-bow (*ante*, pp. 101-2) figure in it?

Malvern.

J. H. ROUND.

### WICK.

(*Ante*, vol. x., p. 230; vol. xi., pp. 38, 86, 134.)

As I hope to complete before long my researches on the above word, and to publish the result, I will do no more at present than decline to follow Mr. Hall into the realms of a guess-work philology. He is welcome to prove to his own satisfaction (*ante*, pp. 38, 134) that a "road," a "common man," a "village," a "dairy," a "viking," a "wick," a "dyke," and what not, are all of common origin, if we go back to Sanskrit, though I may observe, in passing, that the connection of "wick" with "dig," through a Sanskrit root, suggests the *lucus a non lucendo* derivation,—the "wick" I am working at being essentially a place where the earth was not dug. Turning from the philology of "leaps and bounds," let me call Mr. Hall's attention to two simple matters, which I select *exempli gratia*. He first tells us:—"This word 'wich' is well known as an old term for salt." Now, I need hardly point out that "wich" never was a term for salt, but meant a place where salt was evaporated,—a very different matter. Secondly, Mr. Hall tells us that "no doubt it is a variant of wick." As I happen personally to attach a very great importance to the distinction, I expect evidence to be produced for this assertion. But Mr. Hall is too eager to rush to his Sanskrit to stop for this preliminary obstacle. He informs us that it is so "no doubt." As Mr. Hall, in the consciousness of his own attainments, calls on me to acquire a knowledge of Sanskrit, I would modestly reply that, unlike himself, I would first acquire a knowledge of English. For Mr. Hall, we see, has yet to learn that "wich" is not salt, and "no doubt" not evidence.

Malvern.

J. H. ROUND.

### DIGIT FOLKLORE.

[*Ante*, p. 119.]

Here, in our Cornish nurseries, our fingers were characterized somewhat differently from anything that I have seen in print. Our ditty ran thus:—

Grumble Great,  
Lickpot Sweet,  
Longman's fellow,  
Little Gozby,  
Cock Robin and I.

Lickpot Sweet, however, maintains his place and his reputation.

F. H.

### PEDLAR LEGENDS.

[*Ante*, vol. x., pp. 202-205; xi., p. 167.]

Will readers of THE ANTIQUARY give me some additional information on this subject to that contained in the above reference?

G. L. GOMME.

## The Antiquary Exchange.

*Enclose 4d. for the First 12 Words, and 1d. for each Additional Three Words. All replies to a number should be enclosed in a blank envelope, with a loose Stamp, and sent to the Manager.*

NOTE.—All Advertisements to reach the office by the 15th of the month, and to be addressed—The Manager, EXCHANGE DEPARTMENT, THE ANTIQUARY OFFICE, 62, PATERNOSTER ROW, LONDON, E.C.

### FOR SALE.

A few old Poesy Rings for sale.—Apply to 265, care of Manager.

The Subscription to a *Large Paper* Edition of *Bibliotheca Curiosa*, *Collectanea Adamantæa*, and *Ritson's Ancient English Metrical Romances*. The whole edited by Edmund Goldsmid, F.R.H.S., and many parts already published. The purchase of subscription to include those already published, together with those to appear.—Apply, G., 190, care of Manager.

Six very handsome, carved and inlaid Mahogany Antique Chairs. In excellent preservation.—J.H.K., 29, Druid Street, Hinckley.

A Copy of Grey's *Elegy*. Large paper; only 50 printed; very scarce indeed. Price 25s.—Apply 120, care of Manager.

A large quantity of Duplicate Book Plates, together with an interleaved copy of Warren on Book Plates, bound in half morocco. Offered to collectors as a whole, about 1,200 in all, price £6 10s. This is a very good offer, and the plates would be of great value to any one just commencing collecting.—Apply by Letter to 119, care of Manager.

Several fine old Mourning and Presentation Rings for sale.—277, care of Manager.

Coins.—£2 Piece, George IV., 1823; Guinea, George III.; Spade Half Guinea, second issue, George III., 1788; Seven Shilling Gold Piece, first issue, George III., 1762; Shilling Token of W. Ballans, Manchester; Shilling, Charles I.; Shilling, George I., 1723; Shilling, George II., 1758; Five Shilling Piece, George III., 1819; Sixpence, Elizabeth, 1575; Threepence, James II., 1687. The above are in a splendid state of preservation and worthy any collector's attention.—Offers for all, or any, to be made to L.R., *Gazette* Office, Scarborough.

A number of English Silver Coins and Medals to dispose of; also a few Roman and Greek. List sent.—W. Davis, 23, Suffolk Street, Birmingham.

Fielding *Edition de Luxe*, 10 vols., plates on China paper, No. 27, take £4 18s. Original copy, 1821, Real Life in London; Rowlandson's coloured plates; bound half morocco. Will exchange. Wanted, Flaxman's Homer; Dante (originals) Book of Gems. Offers fine art books.—281, care of Manager.

Aylett Sammes' *Antiquities of Britain*. Folio; London, 1620.—Robert Williams, Brynallaw, Carnarvon.

The first English New Testament. Tyndale's New Testament in English, 1525; facsimiled by Francis

Fry, Esq., of Bristol. Only 151 copies were printed, and as the stones were effaced, no more can possibly be produced. A copy of the above valuable reprint for sale.—Apply by letter to W. E. Morden, Lower Tooting, London, S.W.

Copies of *f. 222 Marriage Registers* from the parish book of St. Mary's Church in Whittlesey, in the Isle of Ely and County of Cambridge, 1662—72; 1880, 10 pp., 1s. 6d. A copy of the Names of all the Marriages, Baptisms, and Burials which have been solemnized in the private chapel of Somerset House, Strand, in the County of Middlesex, extending from 1714 to 1776, with an index and copious genealogical notes; 36 pp. and wrapper, 1862, 2s. 6d. Dr. Robert Mossom, Bishop of Derry, with a bibliography of his works; reprinted with additions and corrections from the Palatine Note Book, by John Ingle Dredge (not published); 1882, 12 pp., with wrapper, 2s. 6d. Dr. George Downame, Dishop of Derry, by Rev. John Ingle Dredge; 1881, 14 pp. and wrapper (not published), 2s. 6d.—119, care of Manager.

A very fine set of Henry's Commentary on the Holy Bible. Edited by the Rev. George Burder and the Rev. Joseph Hughes, with life of the author, by Rev. Samuel Palmer. In 8 vols., 4to, Bagster, MDCCCXI. Whole calf, marble edges, plates and binding in splendid condition.—Offers to S., care of Manager.

The Game and Pleye of the Chesse; a verbatim reprint of the first edition, 1474, with introduction by Wm. E. A. Axon, M.R.S.L. 1883. 201 pp. and intro. lxxii. pp., 5s.—119, care of Manager.

*The Manager wishes to draw attention to the fact that he cannot undertake to forward POST CARDS, or letters, unless a stamp be sent to cover postage of same to advertiser.*

### WANTED TO PURCHASE.

Dorsetshire Seventeenth Century Tokens. Also Topographical Works, Cuttings or Scraps connected with the county.—J. S. Udal, The Manor House, Symondsburry, Bridport.

Walter's *Views of Life*; Lynch's *Mornington Lectures*; Foster's *Lancashire Families*; Caine's *Sonnets of Three Centuries*.—273, care of Manager.

Some Account of St. Mary's Church, Sutton Valence, by Charles Frederick Angell, 1874; *Memoirs of the Parish Church of Gillingham, Kent*, by Leach, 1868.—272, care of Manager.

Carl Werner's *Views in the Holy Land*, a good copy wanted, and a fair price offered.—Reports by Letter only to M. W., care of Manager.

Rambles in the Isle of Sheppey, by Henry T. A. Turmine (native of Minster), with historical notes by Jas. Bennett, 1843, pp. 91. The Benefactor. The Congregational Economist. Werner's *Views of the Holy Land*. Stedman's *The Victorian Poets*.—119, care of Manager.

Wanted Roman first and second Brass coins; must be in fine condition.—W. Davis, 23, Suffolk Street, Birmingham.

Wanted Ancient Almanacs antedating 1800. Address stating price to 280, care of Manager.